A
COLLECTION OF THE PAPERS
RELATING TO
Sri Runganathaswami Temple
ITS MANAGEMENT & THE RIGHTS
AND PRIVILEGES OF THE TENGALAIS
IN THE SAME,

AND CONSISTING OF

Decisions of Civil Courts, Orders & Sannads of Collectors, Proceedings of the Board of Revenue &c.,

COMPILED BY

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VAKIL, HIGH COURT, MADRAS.

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2

CONTENTS.

PART I.

1. The rights and privileges of the Thengalais ... P. P. 1—62
2. Nadhamuni Alwar ... ... „ 63—118
3. Dhanmantri... ... ... „ 119—128
4. Vedanta Chariar ... ... „ 129—158
5. Thiruman Disputes ... ... „ 159—178
6. The Sub-Temples and mantapams in Srirangam belong to Runganathaswami ... ... „ 179—186

PART II.

The management of Sri Renganadhaswami Temple ... P. P. 1— 59

3

Chronological List of the Documents.

PART I.

		PAGE.
1803 August	15—Arzee of Velu, Devastanam Umpire about *Tengalai* Vedanta Chariar	129
180[illegible]	28—Decree in O. S. 130 of 1808	1
[illegible]ly	29—Petition from stallattars to the Collector about the infringement of the terms of the decree of 1808 ...	5
1813 August	7—Endorsement on the said petition	5
1813 „	7—Collector's order to the Head Peishkar in the said matter ...	6
1813 September	19—Collector's order to the Head Peishkar in the matter of Sena Mudaliar Kovil Oolyam	7
1818 March	6— do do do to see that the purchaser of the oolyam acts in the way prescribed by the Tengaliars according to the decree of 1808	11
1813 „	14— do do do to take security from the purchaser or his agent for the due observance of the provisions of the decree of 1808 ...	8
1818 „	15— do do do ...	8
1818 „	17— do do do ...	9
1818 „	20—Security bond taken from the agent of the purchaser ...	11
1821 April	13—Sannad shewing that the mantapam opposite to Aayanar Temple belongs to Runganathaswami	179
1822 March	20—Collector's order to the Head Peishkar in the matter of allowing some Vadagalais who had acted contrary to the terms of the decree of 1808 to go into the Temple to worship God	9
1824 „	15—Collector's order to the Head Peishkar to see that Vadagalais do not recite Vedas &c. contrary to the provisions of the decree of 1808	12
1826 July	29—Decree in O. S. 82 of 1825, Kumbakonam Court, in the matter of Vedaparayanam	13
1827 November	29—Collector's letter to the Revenue Board about the rights of the rival sects to recite Vedas &c	15
1828 September	11—Proceedings of the Collector of Trichinopoly confirming the provisions of the decree of 1808	16
1829 „	19—Sannad shewing that Veli Sudikudutha Nachiar Kovil belongs to Renganathaswami	179
1829 „	29— do do ...	180
1829 August	19—Collector's order to the Head Peishkar to see that Agobala Jeer and other Vadagalays do not recite Vedas and Nalayira Prabandam contrary to the provisions of the decree of 1808	17
1829 September	18— do do do ...	17
1829 October	1—Collector's order to the Muzumdar of Konad in the said matter	18
1829 „	2—Konad Tahsildar's order to the Tana Peon at Srirangam in the said matter	19

		Page.
1829 October	8—Order to the Deputy Peishkar to see that Vadagalais do not perform ceremonies without having a Tengalai Brahman by their side	19
1829 ,,	14—Collector's order to the Deputy Peishkar asking him to refer to the stallattars the matter of Agobala Jeer's presenting a Garudavahanam to the Temple ...	
1829 ,,	16—Collector's order to the Deputy Peishkar to inform the stallattars that Tengalai namam should be put to the said Vahanam after it is taken into the temple ...	159
1829 ,,	19— do do do ...	160
1829 November	18—Collector's order to the Head Peishkar directing him to publish the Isthiar sent to him that Vadagalais should not recite Vedas &c. against the terms of the decree of 1808	20
1829 ,,	18—The Isthiar above referred to	20
1832 April	2—Proceedings of the Court of Circuit ordering the said Isiar to be cancelled	21
1832 ,,	4—Collector's order to the Head Peishkar to publish a proclamation cancelling the said Isthiar of the 18th November 1829	22
1832 ,,	4—The said new proclamation	22
1832 ,,	4—Collector's return of the precept directing the cancellation of the 1st Isthiar	23
1832 August	1—Collector's proclamation repealing the latter Isthiar of the 4th April 1832 and affirming the former one of the 18th November 1829	23
1832 May	16—Collector's order to the Head Peishkar to see that the decree of 1808 is strictly followed	23
1832 ,,	—Collector's order to Head Peishkar to send up witnesses, if any, in the matter of the disturbance caused by Vadagalais	24
1832 ,,	26—Collector's order to the Head Peishkar to see that nothing is done contrary to mamool in the Temple ...	25
1832 August	27—Sannad shewing that Sesharayar mantapam Kothandaramasami Kovil belongs to Renganathasami ...	181
1832 October	21—Collector's order to the Head Peishkar to warn the Vadagalais not to act contrary to the provisions of the decree of 1808	26
1833 February	13—Sannad shewing that Tondaradipodi Alwar Kovil belongs to Runganathaswami	180
1833 ,,	16—Proceedings of the Zillah Judge of Kumbaconum in the matter of the application to execute the decree of 1808	26
1833 June	17—Proceedings of the Sudr Adaulut in the matter of the objection petition put in by the Vadagalais opposing the execution of the decree of 1808	27
1833 July	23—Collector's order to the Head Peishkar to see that Vadagalais do not act contrary to the decree of 1808 and not to interfere in the matter of the performance of the ceremonies in the houses of the Vadagalais	29

1833 December	20—Proceedings of the Provincial Court directing the Tengalais to institute a fresh suit for the recovery of their rights ...	Page. 29
1834 March	15—Proceedings of the Collector refusing to order the Vadagalais to get the ceremonies in their houses performed by the Tengalais	30
1834 April	15—Proceedings of the Court of Circuit refusing to interfere with the above decision of the Collector	30
1834 June	13—Sannad shewing that Pullalocachariar kovil belongs to Renganathaswami	180
1835 January	9—Sannad about Sesharayer Kothandaramasami Kovil paricharakam	181
1835 ,,	22—Collector's order to the Head Peishkar in the matter of alienations of Kovil Kamakshi &c.	10
1835 June	13— do do do ...	10
1835 September	10—Collector's order to the Head Peishkar in the matter of the removal of the Tengalai mark in front of Vedanta Chariar Covil	129
1835 ,,	21—Arzi of the Head Peishkar to the Collector in the matter of the Tengalai Tiruman in front of Vedanta Chariar Kovil	130
1835 October	3—Arzi of the Head Peishkar to the Collector in the matter of Vedanta Chariar having been newly brought out with Vadagalai namam	133
1835 ,,	6—Collector's order to the Head Peishkar in reply, to see that matters should be conducted according to mamool ...	137
1835 ,,	6—Collector's order to the Head Peishkar in respect of the namam placed on the forehead of Vedanta Chariar on the Tirunakshathram day	138
1835 ,,	19—Collector's order to the Head Peishkar to see that Vedanta Chariar was not brought out with Vadagalai mark on the Deepavaly day	139
1835 November	21—Collector's order to the Head Peishkar to restore the Tengalai mark in front of the Vedanta Chariar Kovil ...	131
1835 December	11—Reference made by the Collector to the Southern Provincial Court as to the mode of executing the decree of 1808 ...	30
1835 ,,	14—Proceedings of the Southern Provincial Court in reply to the above reference	32
1840 June	30—Collector's order to the Head Peishkar to see that Vadagalais do not act contrary to mamool and to the decisions	34
1840 July	11—Collector's order explaining the above	34
1840 ,,	21—Collector's order to the Head Peishkar directing both sects to go to Civil Courts for the infringement of their rights	35
1840 August	3—Collector's order to the Head Peishkar directing him to inform the Tengalais to apply to the police to prevent the Vadagalais from infringing their rights... ...	35
1840 December	8—Collector's order to the Head Peishkar in the matter of the ceremonies at the Tirunakshathra festival in the Thesavathar temple	35

		Page.
1841 January	18—Proceedings of the Foujdaree Adalut referring the Tengalais to Civil Suit and directing them not to apply by Mics. petitions for the recovery of their rights ...	36
1842 April	13—Proceedings of the Southern Provincial Court refusing to interfere in the matter of the performance of ceremonies in the houses of Vadagalais by the Tengalais ...	37
1842 August	22—Proceedings of the Sadr Adalut confirming the above proceedings of the Provincial Court dated 13th April 1842 ...	38
1843 July	10—Proceedings of the Foujdaree Adalut refusing to issue orders to the Magistrate to punish the Vadagalais for invading the rights of the Tengalais	39
1843 November	29—Proceedings of the Zillah Court of Trichinopoly referring the Tengalais to Civil suit for any invasion of their rights ...	40
1846 April	6—Proceedings of the Foujdaree Adalut approving of the Magistrate's proceedings in the steps taken by him to preserve peace	40
1846 September	9—Proceedings of the Civil Court of Trichinopoly refusing to issue a precept to Collector to execute the decree of 1808 ...	41
1849 June	21—Collector's order to the Tahsildar of Lalgudi to inform the Tengalais that the Board of Directors would not meddle in their affairs	42
1850 January	19—Collector's order to the Dharmakarthas of the temple to appear before him in the matter of certain Magisterial proceedings against them	42
1850 "	19—Collector's letter to the Revenue Board recommending the removal of Raja Bahadoor Rengasami Iyengar and Sivagurunatha Pillai from the office of trustees ...	43
1850 "	24—Extract in Cal. case No. 1 of 1850	44
1850 May	25—Collector's order to the Lalgudi Police Ameen not to interfere with the affairs of the rival sects except so far as is necessary to preserve the peace	49
1850 October	6—Proceedings of the Civil Court of Trichinopoly refusing to interfere in the matter of the Mis. petitions of the two parties	49
1850 November	6—Proceedings of the Civil Court of Trichinopoly referring the Tengalais to Civil suit	50
1851 March	13—Proceedings of the Sadr Adalut confirming the proceedings of the Civil Judge dated 1st November 1850 and referred to in the above proceedings of the 6th November 1850 ...	50
1854 January	16—Judgment in O. S. 75 of 1851 Principal Sadr Ameen Court in the Civil suit by Sathanies for damages to which they were referred by the Collector in his Judgment in C. C. 1 of 1850 dated 24th January 1850	46
1855 November	14—Judgment in Appeal against the above said decree dated 16th January 1854 (i. e. decree in O. S. No. 75 of 1851) ...	48
1858 June	15—Order of the Lalgudy Head Police to the Village Munsiff of Srirangam to report as to the property &c. of the offenders in the case of Anai Venkata Rengiengar ...	55

5

			Page.
1858 June	26	Head Assistant Collector's order to the Village Munsiff directing him to publish an Isthiar to prevent Vadagalais from infringing the rights of the Tengalais by reciting Vedas &c.	51
1858 ,,	26	The Isthiar above referred to	5[illegible]
1858 July	6	Head Assistant Magistrate's order to the Lalgudy Head Police to recall the said Isthiar and to issue another instead ...	5[illegible]
1858 ,,	6	The latter isthiar above referred to	53
1858 ,,	13	Head Assistant Magistrate's letter to the District Magistrate explaining why he recalled the 1st isthiar and issued the second one	54
1858 December	2	Proceedings of the Foujdaree Adalut in the case of Anai Venkata Rengiengar	55
1859 February	3	Order to the Lalgudy Head Police to see that no breach of the peace takes place in the matter of Oothamanamby's Iyal	56
1859 March	24	Proceedings of the Sessions Judge Trichinopoly in the same matter	56
1861 February	25	Collector's order to the Head Police in the matter of the Iyal petition of Peria Nambi Iyangar	57
1863 May	1	Collector's order to the Magistrate of Trichinopoly to inquire into the matter of the *Kavi* Tiruman in front of Nadamuni Alwar Kovil	63
1863 June	1	Order of the Temporary Magistrate to the 2nd Class Magistrate Trichinopoly directing him to remove the said *Kavi* Tiruman	63
1863 July	3	Another order from do. to do. in respect of the same affair ...	64
1863 ,,	30	Proceedings of the Sessions Judge, Trichinopoly in the same matter	65
1863 August	7	Collector's order to the Managers of the Temple to send a list of the namams in the Temple with a report on the same	161
1863 September	15	The report of the Managers about the list of Namams sent by them	161
1863 ,,	15	The said list of Namams	163
1863 October	30	Yadast from the Tahsildar in the matter of the Tiruman in front of Dhanmantri and Nadamuni Alwar Kovils ...	119
1863 ,,	30	Extract in Cal. case No. 89 of 1863 on the file of the Head Assistant Magistrate, Trichinopoly, in the matter of the *stone* Vadagalai Namam in front of Nadamuni Alwar Covil ...	67
1863 November	16	Proceedings of the High Court of Madras in respect of the *Kavi* Tiruman in front of Nadamuni Kovil ...	66
1863 ,,	25	Collector's order to the Sub Magistrate, Trichinopoly, in the matter of the Iyal petition of Vada Vyasa Venkata Sudarsana Bhutter...	57
1863 December	5	Plaint in O.S. 1 of 1864 (in respect of Dhanmantri pagoda) ...	122
1863 ,,	5	Proceedings of the Sessions Court, Trichinopoly, in the matter of the *stone* Vadagalai Namam in front of Nadamuni Kovil	68

1864 February	19—Arzi of the Tahsildar to the Head Assistant Magistrate about the inquiry into the Tiruman affair in front of Dhanmantri Kovil ... ...
1864 April	8—Order of the Collector to the Tahsildar not to interfere in the said matter of the Dhanmantri Kovil Tiruman
1864 July	21—Proceedings of the High Court of Madras in the matter of the *stone* Vadagalai Namam in front of Nadamuni Alwar Kovil. (Cr. Petition 20 of 1864 High Court)
1866 November	13—Judgment in O. S. 1 of 1864 (about the Dhanmantri Kovil)
1873 December	19—First Isthiar by Mr. Pennington prohibiting the putting of Vadagalai Namams on the walls of Srirangam and the bringing out of idols with Vadagalai Namams on their forehead ... ...
1874 January	6—Second Isthiar by Mr. Pennington that nothing should be done contrary to custom ...
1874 „	7—Complaint (in C. C. 9 of 1874) by the stallattars in the matter of Vadanta Chariar and Nadamuni Alwar having been brought out newly with Vadagalai Namams
1874 February	4&5—Deposition of the complainant Sri Sudarsana Bhutter in the same ... ...
1874 March	28—Extract in C. C. 9 of 1874 (Mr. Penning'on's Judgment in the said case) ... ...
1874 April	22—Third Isthiar of Mr. Pennington similar to the first
1874 July	22—Judgment in Criminal Appeal 8 of 1874 (Mr. Webster's Judgment) on appeal from Mr. Pennington's Judgment in C. C. 9 of 1874 ... ...
1874 September	7—Judgment of Mr. Pennington in C. C. 100 of 1874 (Vellai Gopuram) ... ...
1874 October	30—Cr. Revision Petition (421 of 1874) to the High Court against the above Judgment in Cr. Applical 8 of 1874 of the Sessions Judge, Trichinopoly ...
1874 November	25—Order of the High Court in the abovesaid Cr. Revision Petitition (421 of 1874) ...
1875 February	17—Plaint in O.S. 14 of 1875 Coimbatore Court, about Vedanta Chariar (first instituted in the Trichinopoly Court and then transferred to the Coimbatore Court) ...
1875 May	20—Government order in the matter of the petition of the accused (Vadagalais) in C. C. 9 of 1874 ...
1875 June	12—Decree in O.S. 874 of 1873 (Sesharayer mantapam Kothandaramaswami Kovil) ...
1875 „	12—Judgment in do do do.
1875 July	21—Plaint filed in the Civil Court Trichinopoly to set aside the decision of the Magistrate in C. C. 9 of 1874
1875 „	21—Plaint in O. S. 18 of 1875 Coimbatore Court about Nadu Alwar (first instituted in the Trichinopoly Court and then transferred to the Coimbatore Court) ...
1875 September	25—Plaint dated 21st July 1875 to set aside the decision of the Magistrate in C. C. 9 of 1874—rejected...

		Page
1876 January	10—Appeal (R. A. 6 of 1876 High Court against the said order rejecting the plaint of the 21st July 1875 ...	106
1876 „	26—Judgment in O. S. 14 of 1875 Coimbatore Court (about Vedanta Chariar)	143
1876 „	26—Decree in O. S. 18 of 1875 Coimbatore Court (about Nadamuni)	110
1876 „	26—Judgment in O S. 18 of 1875 Coimbatore Court do. ...	111
1876 July	10—Judgment in A. S. 146 of 1875 (Sesharayer mantapam Kothandaramaswami Kovil)	185
1876 „	31—Decree in Regular Appeal 21 of 1876 of the High Court, against decree in O. S. 18 of 1875 Coimbatore Court ...	111
1876 „	31—Judgment of the High Court in Reg. Appeals Nos. 6, 19 and 21 of 1876 on the file of the High Court ...	147
1876 December	6—Plaint in. O S. 4 of 1877 Coimbatore Court (about Vedanta Chariar again)	149
1877 January	29—Written statement of 1st and 2nd defendants in the said O. S. 4 of 1877	150
1877 July	27—Decree in the said O. S. 4 of 1877	151
1877 „	27—Judgment in the said O. S. 4 of 1877	152
1877 October	5—Memo of Appeal (Reg. Appeal 108 of 1877) against the decree in the said O. S. 4 of 1877	156
1878 January	25—Decree in the said R. A. 108 of 1877	157
1880 November	9—District Magistrate's Judgment in C. C. 155 of 1880 on his file (Sukravara tope)	175
1880 December	10—Petition by Vadagalais praying for an isthiar that no Tengalai Namam should be put anywhere	176
1880 „	14—Order of the District Magistrate on the said petition ...	177
1881 August	11—Judgment of the District Magistrate in C. C. 8 of 1881 on his file (Paramapatha Vasal gate)	177
1881 „	11—District Magistrate's Judgment in C. C. 16 and 17 of his file (Dhanmantri Kovil Tiruman)	124
1881 „	26—Review petition by the Tengalais in the matter of the dismissal of their petition about Dhanmantri Tiruman	125
1881 September	6—Order on the said Review petition	126
1882 May	9—Cr. Revision petition (643 of 1882) to the High Court in the said matter of the Dhanmantri Tiruman... ...	127
1883 June	22—Temporary Magistrate's Judgment in C. C. 30 of 1883 on his file (in the matter of Renga Chariar's Iyal) ...	58
1883 September	11—High Court order in the Revision petition against the said Judgment in C. C. 30 of 1883	62
1886 April	3—Trichinopoly Additional District Munsiff's Judgment in O. S. 362 of 1885 on his file (Alawandar's Case) ...	112

Original Suit No. 130 of 1808,

of the Zillah Court of Trichinopoly.

Plaintiffs.	*versus*	*Defendants.*
1. Streerunga Narayana Jeeyar.		1. Torriore Iyengar.
2. Vedaveasa Butter.		2. Kistnasamy.
3. Parasara Butter.		3. Ananthatha Chariar.
4. Vathulathasega Rungachariar.		4. Ragunada Iyengar.
5. Wuthamanambi.		5. Anothaura Iyengar.
6. Addeapacaul.		6. Thasega Iyengar.
		7. Vencatasinga Iyengar.
		8. Ramanuja Iyengar.
		9. Ragunada Iyengar., and other 100 house people.

The Court, after having considered the petition answer, reply and rejoinder, the evidence of Saumaviengar, Ramanuja Iyengar, Custuri Iyengar, Rungathama Charry, Subien, Gopaulien, Kistnien, Subien, Appaviengar, Appaniengar, Agelandamien, Varatha Iyengar, the fifteen documents sent by Mr. Young the Collector, relative to the dispute between the parties from 23rd July 1803, to the 3rd February 1806, the evidence of Thatharoyer, and the following answer of the Pundit, is of opinion from the proceedings of the evidence, and the act of the Collector's paying 40,000 Poons to the plaintiffs by the order of the Government, that the Tenkaliars were recognized by that act to be the dictators of the ceremonies within the Suptha Pracarum on the Island of Streerungam to Streerunga Sawmi's Kovil, and the Court is confirmed in this opinion from the circumstance of the Tenkala Therumun being affixed upon the forehead of the Swami, the Muntapam, the Kovil and the Garuda Cumbum, which goes to prove that the Suptha Pracarum were successively built for the Tenkaliars and not for Vadakaliars who appear to have been admitted from time to time to reside within the Suptha Pracarum under the condition of not giving any interruption to the ceremonies dictated to be performed therein by the Tenkaliars, and to their consenting that the Tenkaliars were to perform in the

houses the Nunmay and Tinmay ceremonies either as a Addeapacauls or Vadaparayanums.

2. Though the defendants allege that the Vadakaliars are considered in other places superior to the Tenkaliars, nevertheless that circumstance cannot operate with the Court a precedent or argument in their favour, as where their superiority is acknowledged it is presumed the places in which they preside must have been built for the express purpose of the Vadakaliers, not in which places were built for the express purpose of Tenkaliars, for agreeably to that reasoning, the Mahomedans might equally claim a right to dictate the ceremonies in the places where the Vadakaliars and Tenkaliars preside, as well as the right of receiving the Teertham before either of the sect of Brahmins, which act would be in diametrical opposition to the intention of the Government and the Regulation they have framed and enacted for the purpose of securing to each sect their right and privilege of performing their several ceremonies in the manner prescribed respectively to them by the ancestors of each sect.

3. By the answer of the Pundit it also appears though the Sashter does not mention the distinction of Tenkaliars and Vadakaliars, nevertheless it authorizes in the event of different schisms obtaining among the Brahmins, that one sect has right to prescribe rules to the Brahmins of another sect, if they consent to abide by them, through which privileges and under the condition of the Vadakaliars promising not to give any interruption to the ceremonies as dictated to be performed by the Tenkaliars to the Streerunga Sawmi's Kovil, and to their consenting to have the Nunmay and Tinmay ceremonies performed in their houses by the Tenkahars as Addeapacauls or Vadaparayanums and to the right of the Tenkaliars receiving Theertham first that the Vadakaliar were permitted by them to reside within the Suptha Pracarum.

4. Though the Court, upon the above reasoning, and a conclusion, confirm the superiority of the Tenkaliars over the Vadakaliar in the Suptha Pracarum on the Island of Streerungam, nevertheless, it is to be understood, the Court does not mean thereby to allow, that their superiority over the Vadakaliars is to be generally through the Zillah in places that may have been erected for the express purpose of the Vadakaliar, for that would be contrary to the professed intent of the Regulations, and the Vadakaliars are therefore to understand that if any rich man should obtain a grant of ground for the purpose of erecting a similar Suptha Pracarum with all its appendages to that

on the Island Streerungum for the express purpose of the Vadakaliars, they of course in such a Stallam will have their superiority confirmed to them over the Tenkaliars.

5. Though it appears by the proceedings, that the defendants have without any authority interrupted the plantiffs in their dictatorial capacity, nevertheless, as no proof has been brought to the plaintiffs having experienced the loss of Star Pagoda 416-22-0 under the heads of Rendayeram, and Nauloyera Prabundem Cootums, and that of Nunmay and Tinmay, they cannot on that account recover that sum as damage from the defendants.

6. It is therefore decreed conformably to Section X, Regulation II, A. D. 1802, that the Tenkaliars be confirmed in their superiority over the Vadakaliars of the Streerunga Sawmy Kovil in the Suptho Pracarum on the Island of Streerungam, and that they be the dictators in all the ceremonies to be performed to the Sawmies therein, and that they alone have the right of performing the Nunmay and Tinmay ceremonies in the houses of the Vadakaliars and other of the Hindu caste within the Suptha Pracarum agreeably to Mamool, and that they receive the usual Thatchanay on that account, and the Teertham first as intended by Mr. Wallace's Proclamation, dated 31st August 1803, and that the Vadakaliar, be prohibited from interfering therein, and that the defendants pay batta to peons and batta to witnesses immediately.

7. The defendents and Vadakaliers are to understand, that if they attempt to interrupt the Tenkaliars in any of the previous privileges confirmed to them, that the Judge in his Magisterial capacity will either cause to inflict corporal punishment on the back of such offender and banish him out of the Suptha Pracarum or commit him to prison for trial before the Circuit Judge.

Given under my hand and seal of the Court at Trichinopoly Zillah Court, under date the 28th April 1808.

(Signed) R. H. LATHAM,
Judge.

Read and the copy given on the 7th May 1808, corresponding to 27th Chittar of the year Vebavah.

(Signed) R. H. LATHAM,
Judge.

H. M. BLAIR,
Collector.

29th July 1813.

ருச்சினாப்பள்ளி சுபா வகைறா கலெக்ட்டராகிய மகா-ா-ா ஸ்ரீ மெஸ்தர் கெவர்சு துரையவர் சமட்சமத்துக்கு ஸ்ரீரெங்கம் கோவில்ஸ்தலத்தார், வேதவியாசபட்டர், வாதூலதேசிக அணணங் பருசரபட்டர், உத்தமநம்பி நாங்கள் எழுதிக்கொண்ட அர்ஜி என்னவென்றால், தெசாவதா கோவிலுக்குமுன் புறம் பிராமணாள் கர்மத்துக்காக வெகுகாலத்துக்குமுன்னே திருமங்கை ஆழ்வார் கட்டிவைத்த மண்டபத்தை இப்போது அப்பீல்கோர்ட்டு பிளீடர் ஸ்ரீநிவாசஅய்யங்கார் ஷை மண்டபத்தை பிரித்து தங்கள் குருக்களுக்கு வீடுகட்டிவைத்தான். அந்த மண்டபம் கட்டுகிறதற்கு 500 விராகன் செல்லும். பழயபடிக்கு பிராமண கர்மத்துக்கு யோக்கியமாக இப்போது பிரித்த கல்லைக் கொண்டுவந்து மண்டபம் கட்டிவைக்கும்படியாய் பேஷ்காருக்கு சன்னது ஆகவேணும் இந்த சங்கதிக்கு முன்னாலே பேஷ்கார் ராமதாசு பண்டிதரிடத்தில் அர்ஜி எழுதிக்கொடுத்திருக்கிறோம். இந்த ஸ்தலத்தில் ஒருநாளும் இல்லாத தென்கலை வடகலையென்று ஒரு சண்டையை ஷை ஸ்ரீநிவாச அய்யங்காரும் ஷையார் தமையனுமாய் உண்டுபண்ணினான். அதற்காக ஜில்லாகோர்ட்டில் மகா-ா-ா-ஸ்ரீ லெத்தன் துரையவர்களிடத்தில் பிட்டிஷன் கொடுத்தோம். அவர்களும் நன்றாய் விசாரணைபண்ணி வடகலையாருக்கும் இந்தக் கோவிலுக்கும் சம்மந்தமில்லையென்றும் பின்னும் மாமூல்ப்படிக்கி வடகலையார் வீடுகளில் நன்மை தின்மைக்கு தென்கலையாராகிய எங்கள் அத்தியாபகாளைக்கொண்டு சடங்கு செய்யாவிட்டால் அவர்களைக் கோவிலுக்குள்ளே விடாமலும் ஊரைவிட்டுத் துரத்திவிடுகிறதென்றும் கோவிலிலே யாதொரு மரியாதையும் நடப்பிவிக்கத் தேவையில்லையென்றும் இப்படிக்கெல்லாம் தீர்ப்பிலே கண்டு எழுதிக்கொடுத்திருக்கிறார்கள். அந்த தீர்ப்புக்கு விரோதமாயில்லாமல் நடந்துவருகையில் இப்போது ஸ்ரீநிவாச அய்யங்கார் வீட்டில் நன்மை கலியாணம் நடந்ததற்கும் இன்னும் சிலபேர்வீட்டில் நன்மைக்கும் எங்கள் அத்தியாபகாளைக் கொண்டு மாமூல்படிக்கும் தீர்ப்புப்படிக்கும் சடங்குசெய்யாமல் தடங்கல்பண்ணி அதினாலே ஒரு கலாபம் பண்ணுகிறதற்கு யெத்தினப்பட்டு இருப்பதால் அந்தத்தீர்ப்புப்படிக்கு நடப்பிவியாத பேரை கோவிலுக்குள்ளேவிடாமலும் அவாளுக்குக் கோவிலிலே நடக்கிற மரியாதையையும் சுவந்திரத்தையும் ஜெப்திபண்ணிப்போடச் சொல்லியும் பேஷ்காருக்கு சன்னது ஆகவேணும். ஜில்லாக் கோர்ட்டு தீர்ப்புக்கு நகலும் மகா-ா-ா-ஸ்ரீ வாலீஸ் துரையவர்கள் விளம்பரத்துக்கு நகலும் பேஷ்கார் ராமதாசபண்டிதர் மூலாந்தரமாய் தங்கள் சமட்சமத்துக்கு அனுப்பியிருக்கிறது. சுவாமி சன்னதியில் சேனமுதலியார் கோவில் பரிசாரகம் எங்களைச்சேர்ந்த உத்தமநம்பியுடைய மிருசு. அதை ஷை எதிரி சக்கறைராயனிடத்தில் ஷை ஸ்ரீநிவாசய்யங்கார் தமயன் தேசிகஅய்யங்கார் அம்பது விராகன் காணிக்கு அதிகமாய் 120 விராகன் கொடுத்து விலைக்கு மூன்றில் ஒன்றைவாங்கியிருக்கிறாரென்று கேள்விப்பட்டு இருக்கிறோம். தீர்ப்புக்கு விரோதமாய் வாங்கவும் கூடாது; அவனாலாவது அவன் மனுஷனாலாவது ஊழியம்பண்ணவும் கூடாது. அந்த கோவிலிலே எங்களைவிட மற்றப்பேர் ஒருவரும் செய்யக்கூடாது. அந்த விராகனை நாங்கள் கொடுத்துவிடுகிறோம். அந்தக்காணியை யெங்கள் வசம் விட்டு விடும்படியாய் பேஷ்காருக்கு உத்திரவு ஆகவேணுமாகையால் இது சமாசாரம் சமட்சமத்துக்கு தெரியலாவதாய் எழுதிக்கொண்டோம்.

1813௵ ஜூலைமீ 29௳

ஸ்ரீவேதவியாச பட்டர்.
ஸ்ரீ அண்ணங்கார்.
ஸ்ரீபருசரபட்டர்.
ஸ்ரீ உத்தமநம்பி.

7th August 1813.

இந்த அர்ஜியின் பேரில் திரேவாசு துரையவர்கள் பண்ணிக்கொடுத்த இண்டார்சு.

பிட்டிஷனர்க்கு யென்னவென்றால் முதலாவது சங்கதி—ஷை பிளீடர் ஸ்ரீனிவாச அய்யங்காரை நேருக்குநேரில் அழைப்பிவிச்சு விசாரிக்கும் இடத்தில் அந்தமண்டபத்துகல்லுகளை தன்னுடைய வீட்

…க்கு கொண்டுபோனது இல்லையென்றும் இதுவுமல்லாமல் மண்டபம் வெருநாளாய் ப… துமென்றும் ஷை ஸ்ரீனிவாச அய்யங்கார் சென்னபடியினாலே ஷை சங்கதிதெரியாபத்து … டனுக்கு ஊரார் இல்லை ஆகையால் நீர் நன்றாய் தெரியாபத்து பண்ணி யார் கொண்டு போ… அதை அறிந்துகொண்டு அவாளிடத்தில் இருந்து மண்டபம் கட்டிவைக்கும்படிக்கி நீர் … ல் டாமேசு போட்டு ஒருவேளை கோறட்டில் இந்த சங்கதி கலெக்டருடனே சேர்ந்தது … ல சொன்னால் இந்த இண்டாசை காணபிக்கவும். ஷை சங்கதிக்காக நம்முடைய குழுக்கு செரு… ருந்தால் நம்மாலே ஆனமட்டுக்கும் ஒத்தாசைபண்ணப்படும். யென்னவென்றால் ஷை கோவலை சொத்துகளை யார் கொண்டுபோனார்களோ அவர்களுக்கு தருமான தெண்டனை கிடைக்கவேண்டியது அகத்தியம் ஆனதால் இது சங்கதியை கோறட்டில் நிறைவேற வேண்டிய யாசிப்பு.

இரண்டாவது—தெங்கலையாருக்கும் வடகலையாருக்கும் முன்னாலே அனேகம் சச்சரவு பட்டு மேஸ்தர் லேத்தன் துரையவர்கள் விசாரணைசெய்துகுடுத்த தீர்ப்பில் ஸ்ரீரெங்கம் கோவிலிலே சகலமான பாத்தியமும் தெங்கலையாருது யென்று கண்டு இருக்கிறபடியினாலே இப்போ வடகலையார் யெதாகிலும் தடங்கல்களும் மாமூல் தப்பிதமாய் நடந்தால் அவாள்போல் நீங்கள் மேஜிஸ்திரட்டில் பிராது பண்ணிக்கொள்ளவும். ஷை தீர்ப்பு கடசியில் வடகலையார் யெதாகிலும் தடை செய்தால் மேஜிஸ்திரட்டு துரையவர்கள் தெண்டனை பண்ணவேணும் இன்னும் கோவிலைவிட்டு துரத்திவிடலென்றால் இன்னும் கண்டு இருக்கிறபடியினாலே அந்தப்படிக்கி நீங்கள் பண்ணிக்கொண்ட பிறுது நிஜமாயிருந்தால் ஷை தீர்ப்புபடிக்கு மேஜிஸ்திரட்டு துரையவர்கள் தெண்டனைபண்ணுவார்கள். இதுவும் அல்லாமல் வடகலையார் எதாகிலும் தடை செய்தாலும் மாமூல் தப்பிதம் செய்தாலும் அவாளை தீர்ப்புபடிக்கி கோவிலிலேவிட தேவையில்லையென்று நாம் பேஷ்கார் ருமதாசு பண்டிதருக்கு சன்னது அனுப்பி இருக்கிறோம்.

மூன்றாவது—ஸ்ரீனிவாச அய்யங்கார்தமயன் தேசிக அய்யங்கார்யென்கிறவன் ஒப்பறிவிலருடுத்து ஷை உத்தம நம்பி பங்காளி சக்கரை ருயனிடத்தில் சேன முதலியார் கோவிலை வாங்கி இருக்கிறான் என்றும் எழுதின சங்கதிக்கு விசாரணை செய்து நியாயப்பிரகாரம் தீர்க்கும்படியாய் ஷை பேஷ்கார் ருமதாசு பண்டிதருக்கு உத்திரவு குடுத்திருக்கிறோம்.

1813 ஹு ஆகஸ்ட்டுமீ 7உ.

கலெக்ட்டர் தேவற்சு துரையவர்கள் என்னும் கையொப்பம்.

(*Original in Mahrashtra,*)

7th August 1813.

To

THE HEAD PEISHKAR OF

SRIRANGAM &c.

With reference to the Urzi sent to us by the Davastanam Stalathars stating that the Vadagaliars in Srirangam are constantly causing disturbance even after Mr Latham has settled the matter in a certain way after a full inquiry into the various long standing disputes and quarrels between the Vadagaliars and Tengaliars of the place, it is hereby ordered that if the Vadagaliars continue to give room for quarrel and disurbance they are not to be prmitted to

(*Original in Mahrashtra*).

7th August 1813.

ஸ்ரீரெங்கம் வகையரா தேவஸ்தானம் பேட் பேஷ்காருக்கு.

தற்சில்லா ஸ்ரீரெங்கம் தேவஸ்தானத்தில் தெங்கலையார் வடகலையார் இவர்களுக்குமுன் வெருசாய் கலகமாய் மேஸதர் லேத்தன் துரையவர்கள் தரியாபத்து செய்து பைசல் செய்து இருக்க மறுபடி ஷை வடகலையார் தண்டை செய்து கொண்டு வருகிறதாக ஷை தேவஸ்தானம் ஸ்தலத்தார் அர்ஜி யெழுதிக்கொண்டதற்கு ஷை லேத்தன் துரையவர்கள் தீர்ப்பு பார்க்குமிடத்தில் வடகலையார் யேதாவது தண்டை செய்தார்களேயாகில் அப்பேர்ப்பட்டவர்களை கோவிலுக்குள் விடவேண்டியதில்லை யென்று கூழுது செய்திருக்கிறது. ஆன்படியால உத்திரவு செய்கிறதாவது ஷை வடகலையாரில் யாராவது தீர்ப்புக்கு விரோதமாயும் மாமூலுக்கு விரோதமாயும் நடந்தால் அப்பேர்ப்பட்டவர்களை கோவி

We therefore hereby —That if any of the said contrary to Mamool and to of Mr. Latham, you are to such people are not allowed to temple.

* * * *
* * * *

7th August 1813,
Camp Trichinopoly.

ஓ க்குள் விடவேண்டியதில்லை. கலம். இது தவிர ஸ்ரீ ரங்கம் கோவிலில் சேனை முதலியார் ஊழிய ம் ப ராசு உத்தம நம்பி தாயிருக்க இப்போ ஸீனி ட ரீனிவாசய்யங்கார் தமயன் தேசிகமய்யங்கார் ெ றவன் ஷை மிராசுக்குக் கிரயம் 50 விராக ௳ க 120 விராகன ஜாஸ்திக் கிரயம் கொடுத் ைம்பிபங்காளியிடத்தில் மூன்றில்ஒன்று செய்திருக்கிறதாகவும் பத்தின தொ விடுகிறோம், தன்னுடைய மிராசை ன்னிடம் விட்டு விடவேணுமென்று தெரியப்ப டுத்திக் கொண்டிருப்பதினாலே உத்திரவுசெய்கிற தாவது: ஷை சங்கதி நீர் விசாரணை செய்து சரியான டைஸலை செய்கிறது அதில் ஒருவேளை நீர் யேதாவது ஒரு தறப்பில் இருந்துகொண்டு பைசல் செய்தால் உமக்கு தகைர் செய்யப்படும். அறியவும்.

1813௵ ஆகஸடுமீ 7௳.
முகாம் திருச்சினாப்பள்ளி.

19th September 1813.

மேஸ்தர் திரெவர்சு சாய்பு கலெக்டர் சுபா திருச்சினாப்பள்ளி அவர்கள் பாஷதாசாரத ரும தாசு பண்டிதர் போஷ்கார் தேவஸ்தானம் வகையரு பார்த்து பாஷாணதரவில்லா.

அப்பீல் கோர்ட்டு ஸ்ரீனிவாசய்யங்கார் உத்தமநம்பி பங்காளி சக்கர ரூபர் மிராசில் மூணைத் தொரு பங்கு அடகு வாங்கிக்கொண்டதற்காக ஸ்தலத்தார் அர்ஜி பண்ணிக்கொண்டதின்பேரில் அதை தெரியாபத்து செய்யச்சொல்லி உத்திரவு அனுப்பிவிச்சதில் தெரியாபத்து செய்கிறதற் காக அவர்கள் ஆஜிராகயில்லையென்றும் ஷை அலுவல் அனுமத்திலிருக்கிறதென்றும் ஷை மிராசு சேனமுதலியார் காரியம் இருவர் சச்சரவில் நடக்காமல் அருக்கத்தாயிருக்கிறதென்றும் அதுக்கு உத்திரவு வருகிறபடிக்கி நடந்துகொள்ளுகிறேனென்றும் நாளது மீ 13௳ யில் எழுதின அர்ஜி வந்தது. அது காரியத்துக்கு தென்கலை வடகலை வியாச்சியத்துக்காக கோர்ட்டில் தீர்ப்பான டிக் கிரியை பார்க்குமிடத்தில் வடகலையாரென்கிறவர்கள் கோவிலிலே புகுகிறதற்குசம்மந்தமில்லையெ ன்றும் சேன முதலியார் கோவில் அடகு வாங்கின மனுஷன் வடகலையானபடியினாலே ஷை அலுவ ல் அவன் பார்க்கக்கூடாதென்கிற மாமூல் இருக்கிறதினாலே மேலும் கோர்ட்டிலான தீர்ப்புபடிக் கும் சேன முதலியார் கோவில் மிராசு அனுபோகமானது அவர்கள் அடகுவச்சு ஷை மிராசு போ க்கடிச்சுக்கொண்டபடியினாலே மறுபடியும் ஷையான் ஷை மிராசை திருப்பிக்கொள்ளுகிறவரைக்கு ம் அவனும் ஷை கோவிலுக்கு ஊழியம் பார்க்கபடாத்துனாலே உமக்கு உத்திரவுபண்ணுதிறதென் னவெண்டால் இந்த வியாச்சியம் திருகுற வரைக்கும் புதுசாய் ஒரு மனுஷனை யேற்படுத்தி கோவி ல் காரியம் பெந்தோபஸ்த்து பண்ணிக் கொள்ளவும். பின்னும் மேலெழுதி சங்கதிக்கி எதாகிலும வியாச்சியமிருந்தால் கோர்ட்டுக்கு போகச்சொல்லவும்.

1813௵ செப்டம்பர்மீ 19௳.
முகாம் உளட்டத்தி

சார்சு திறெவர்சு துறையவர்கள்
கலெக்டர் கையெழுத்து.

14th *March* 1818.

நெ. 24.

ஸ்ரீரெங்கம் தேவஸ்தானம் பேட்... பாசாமிமுதலிக்கு என்னவென்றால்,

மெஸ்தர் லஷிங்க்டன் துரைய... ண்டார்சுப்பிரகாரம் சேனைமுதலிய... நிவாசய்யங்காருக்கு ஜாரிபண்ணச்சொ... முடைய பேருக்கு சன்னது அனுப்பிவித்திருந்த காரியத்துக்கு ஷை இண்டார்சுமெண்டில் இன்ன சங்கதியைக்குறித்து ஜாமீன் வாங்கிக்கொள்ளுகிற தென்றும் விவரமாய்த் தெரியவில்லையென்கிற சங்கதியைக்குறித்து நீர் நாளதுமீ 12உ யில் எழுதிக்கொண்ட 35 நெ. அர்ஜி வந்துசேர்ந்தது.

அதுகாரியத்துக்காக உத்திரவுகொடுக்கிறதென்னவென்றால், ஷை இண்டார்சுமெண்டில் கண்டிருக்கிற ஜில்லாக்கோர்ட்டு தீர்ப்புப்படிக்கி நடந்துகொள்ளும்படியாயும் பின்னும் சேனைமுதலியார் கோவில் ஊழியம் மாமூல்படிக்கு செம்மையாய் நிறைவேற்றும்படியாயும் ஸ்ரீநிவாசய்யங்கார் ஜாமீன்கொடுத்தால் ஷையாரிடத்தில் ஜாமீன் வாங்கிக்கொண்டு சேனைமுதலியார் கோவில் காணியாக்ஷி ஊழியம்உள்ளதை ஷை ஸ்ரீநிவாசய்யங்கார்வசம் செய்யவும். பின்னும் நீர் அனுப்பிவிச்ச இங்கிலீஷ் இண்டார்சை மறுபடியும் இத்துடனேகூட உம்மிடத்துக்கு அனுப்பிவைத்திருக்கிறோமாகையால் அதை தஸ்திரத்தில் தாக்கல்பண்ணிக்கொள்ளவும்.

1818 ௵
மார்ச்சுமீ 14உ

G. PHILIPS.

14th *Ma*...

No. 24.

To

...PPASAWMI MO...

The B...
Srir...

...r Urzee dated ...
...g that with refe... to the sub...
...spatched to you, to make over the Pa...
da of Sanai Modelliar, to Sreenivasa Aiy...
gar in accordance with the Endorsem...
of Mr. Lushin...rton, you do not distin...
understand in t... said Endorsement a...
the matter for whi... security is to be...
quired of him, has been s... fe at hand.

The order passed as to it, ... that if ...
said Sreenivasa Aiyangar give ...
conduct himself in conformity with ...
Decree of the Zillah Court referred ...
the said Endorsement and to execute ...
and properly the services of the said ...
da of Sanai Modaliar according to Ma...
you must make over to him the Mirasi...
service of the said Pagoda and as the
English Endorsement which you forwarded
has been herewith returned to you; restore
it to the records.
14th *March* 1818.

(Signed) ———

15th *March* 1818.

அப்பாசாமி முதலியாருக்கு என்னவென்றால்,

ஷைகோவிலைச்சேர்ந்த சேனைமுதலியார் கோவில் ஸ்ரீநிவாசய்யங்கார் ரெக்கவிலைக்கு வாங்கின 10 நாள் பரிசாரகம் காணியாக்ஷியைக்குறித்து அவர் கொடுக்கப்பட்ட பிருதின்பேரில் நாம் ஸ்ரீரெங்கம் ஸ்தலத்தாரிடத்தில் வாங்கின வாக்குமூலங்களும் அதற்காக ஸ்ரீரெங்கராஜன் கொடுத்த பிருதையும் தென்கலை வடகலை சங்கதிக்காக பிறந்த ஜில்லாக்கோர்ட்டுத் தீர்ப்பையும் கலெக்டராகிய லஷிங்க்டன் துரையவர்களிடமே ஆலோசனை செய்து தீர்மானம்பண்ணினதற்கு நகல் உங்கள் அரிக்கைக்காக ஷை ஸ்ரீரெங்கராஜன் பிட்டிஷனுக்கு பின்புறமே இண்டார்சுபண்ணினதுமன்னியில் இந்த சன்னதுகளுடனே அந்தத் தீர்மானத்துக்கு நகல் உம்முடையவிடத்துக்கு அனுப்பிவைத்திருக்கிறது. அதை செம்மையாய்ப் படித்துப்பார்த்துக்கொண்டு சேனைமுதலியார் கோவில் காணியாக்ஷியை ஸ்ரீநிவாசய்யங்காரிடத்தில் ஜாமீன் வாங்கிக்கொண்டு அவர்வசம் விட்டு முன் நடந்த மாமூல்ப்படிக்கு நடந்துகொள்ளவும்.

1818 ௵
மார்ச்சுமீ 15உ

அசிஸ்டாண்டு கலெக்ட்டர்,
பிலிபிசு துரையவர்கள். (ஒப்பம்)

17th March 1818.

அப்பாசாமி முதலியாருக்கு என்னவென்றால்,

ஷை லஷிங்க்ட்டன் துரையவர்கள் இண்டார்சுப்பிரகாரம் சேனை முதலியார் கோவில் காணி ஸ்ரீனிவாசய்யங்காருக்கு ஜாரிபண்ணச்சொல்லி உமக்கு சன்னது அனுப்பிவித்திருந்த காரியத்துக்கு ஷை இண்டார்சுபடிக்கு இந்த சங்கதியைக்குறித்து ஜாமீன் வாங்கியிருக்கிறதென்றும் விவரம் தெரியவில்லை. இன்னம் நீர் எழுதிக்கொண்ட அர்ஜி வந்து சேர்ந்தது. அது காரியத்துக்கு உமக்கு உத்திரவு கொடுக்கிறது என்னவென்றால், இண்டார்சுமெண்டில் கண்டிருக்கிற ஜில்லா கோர்ட்டு தீர்ப்பு படிக்கு நடந்து கொள்ளும்படியாயும் பின்னும் சேனைமுதலியார் கோவில் செம்மையாய் மாமூல்படிக்கு நிறைவேத்தும்படியாயும் ஸ்ரீனிவாசய்யங்கார் ஜாமீன் கொடுத்தால் ஷை சேனை முதலியார் கோவில் காணி ஜாரி பண்ணுகிறது.

1818 ௵ (ஒப்பம்)

மார்ச்சு ௴ 17௳ பிலிப்சு துரையவர்கள்.

20th March 1822.

ஸ்ரீரெங்கம் வகைரா தேவஸ்தானம் பேட் பேஷ்கார் அப்பாசாமி முதலிக்கு அனுப்பின சன்னது.

என்னவென்றால், ஸ்ரீரெங்கம் கோவில் ஆரிவிட்டான் வாசலுக்குள்ளாக சுவாமி தெரிசனத்துக்கு விடாமல் நிறுத்தியிருக்கிற எங்களுக்கு ஷை வாசலுக்குள்ளாகப்போய் சுவாமி தெரிசனம்பண்ணும்படியாய் உத்திரவாகவேணுமென்று ஸ்ரீரெங்கத்திலிருக்கும் சின்னண்ணையங்கார், ரெகுநாதயயங்கார், கிருஷ்ணய்யங்கார் இவர்கள் 3 பேரும் அஜூரில் பிட்டிஷன் கொடுத்து ஷை சங்கதி விசாரணைசெய்து ரிபோர்ட்டு பண்ணும்படியாய் இண்டார்சு உத்திரவானபிரகாரம் விசாரணை செய்யுமிடத்தில் 28வது நெ. அர்ஜியில் கண்டிருக்கிற ரெகுநாதய்யங்காரும், 34வது நெ. அர்ஜியில் கண்டிருக்கிற சின்னண்ணையங்காரும், தென்கலை வடகலை சங்கதிக்காக ஜில்லா கோர்ட்டில் பிறந்த தீர்ப்புக்கு விரோதமாய் நடந்து அதற்காக ஆரிவிட்டான் வாசலுக்குள்ளாகவிடாமல் நிறுத்தியிருக்கிறதாயும் இப்போ ஜில்லாக்கோர்ட்டுத் தீர்ப்புப்படிக்கும் லஷிங்டன் துரையவர்கள் தீர்மானப்படிக்கும் நடந்துகொள்ளுகிறதாக ஷையார் இருவரும் முச்சலிக்காவும் ஜாமீனும் கொடுத்தபடியினாலே ஷையாருக்கு சுவாமி தெரிசனத்துக்கு விடலாமென்றும் 29 நெ. அர்ஜியில் கண்டிருக்கிற ஸ்ரீரெங்கத்திலிருக்கும் கிருஷ்ணய்யங்காரென்பவன் சங்கதியை விசாரிக்குமிடத்தில் ஷை கோவிலை யாதொரு பிலாகாவுமில்லை ஷையானுக்கு ஆரிவிட்டான வாசலுக்குள்ளாகவிடாமல் நிறுத்தினதற்கு யாதொரு முகாந்திரமுமில்லையானதால் ஷை வாசலுக்குள்ளாகவிடலாமென்று ஸ்தலத்தாரும் சொல்வதினாலே ஷையானுக்குவிடலாமென்று நீர் எழுதிக்கொண்ட நெ. 28, 29, 34, இந்த 3 அர்ஜியும் வந்தது. அதுகாரியத்துக்கு மேல்கண்டிருக்கிற மூன்றுபேரிலும் இந்த சங்கதிதவிர வேறு யாதொரு சங்கதியிலும் குற்றமில்லாமலிருந்ததேயானால் ஷை மூன்றுபேர்களுக்கு ஷை ஆரிவிட்டான் வாசலுக்குள்ளாக சுவாமிதெரிசனஞ் செய்யும்படி திட்டம் செய்யவும்.

1822 ௵ மார்ச்சு ௴ 20௳

மு திருச்சினாப்பள்ளி. இங்கிலீஷில் கலெக்டர் துரையவர்கள் சயன்.

22nd January 1835.

ந. 20.

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் பேட் பேஷ்கார் சுப்பாபிள்ளைக்கி.

என்னவென்றால், ஸ்ரீரெங்கம் வகையரு தேவஸ்தானங்களில் நடக்கப்பட்டமானியம் நிலம் தோப்பு முதலானதுகளும் கோவில் காணியாட்சிகளையும் ஆள்மாகாணக்காரருடைய மானியங்களையும் சுத்தக்கிரயம் செய்கிறதும் அல்லது பேர்த்தியம் முதலானதும் வைத்திருக்கிறதாய் அறிக்கையாகிறது.

கோவில் மானியங்களும் ஊழியக்காரருடைய இனாம்களும் காணியாட்சிகளையும் போக்கியம் பெந்தகம் யாரும் செய்யக்கூடாதென்று முன்னாலே உத்திரவுகளும் இஸ்தியார்களும் அனுப்பியிருக்கிறதுக்கு விரோதமாய் நடந்து இருக்கிறதுகளை ஜப்தி செய்து ரிகிலேஷன்படிக்கி அந்தந்த இனக்காரருக்கு சேர்ப்பிவிக்கவேண்டியது நியாயமா யிருக்கிறது. ஆகையால் உத்திரவு செய்கிறதாவது: கோவில் மானியம் ஆள்மாகாணக்காரரில் மானியம் இதுகளில் யாராருக்கு எந்தெந்த பாகத்தில் எவ்வளவு நிலம் தோப்பு வகைகள் யாரார் பெந்தகம் போக்கியத்துக்கு குடுத்து இருக்கிறார். அதுவும் கோவில் காணியாட்சிகளை சுவான்காரர் அனுபவிக்காமல் போக்கியம் பெந்தகம் வைத்து இருக்கிறதுக்கும் விவரமாய் கணக்கு ஷருவுடனே தயார் செய்து 15 தினத்திற்குள்ளாக அசூர் வந்துசேர அனுப்பவும், அறியவும்.

1835 வரு
ஜனவரி மீ 22உ
மு. திருச்சினாப்பள்ளி.

H.M. BLAIR,

2nd January 1835.

No. 20.
To

SOOBBA PILLAI,
Head Peishkar
Srirangum &c. Devastanam.

We are informed that the Maniam lands, topes &c. and the miras rights in the Temple of Srirangam &c, and the maniams of the Temple servants are being sold and mortgaged.

It is just and proper that the Templ Maniams and the Inam of the servants an the Miras rights in the Temple which hav been repeatedly held not to be alienable b sale or mortgage and which contrary such orders have been sold or mortgag should according to the Regulations be d livered back to their former owners. W therefore order as follows:—You sho within 15 days from this date send a rep and account to Huzur with a schedu stating what temple maniams and inan of servants have been mortgaged or sold; by whom and to whom they are so mortgaged or sold; and what miras rights (காணியாட்சி) have also been so transferred from the possession of the original owners.

Trichinopoly
22nd January 1835.

H. M. BLAIR.
Collector.

13th June 1835

ஸ்ரீரெங்கம் வகைரு தேவஸ்தானம் ஹெட் பேஷ்கார் சுப்பா பிள்ளைக்கி,

என்னவென்றால், ஷை தேவஸ்தானத்தின் காணிபாக்ஷி மானியங்களை ஒத்திவைக்கவும் விற்கவும் கூடாதென்று இதற்கு முன் கலெக்ட்டர் துரையவர்களாலும் மாஜிஸ்திரேட்டாருலும் தேவஸ்தானத்துக்கு அனேக உத்திரவுகளும் இஸ்தியார் மூலமாயும் தெரியப்படுத்தியிருக்க அந்தப்படி நடவாமல் மானியங்களை ஒத்திகிரயப்படுத்துகிறதும் அதற்குட்கையாகத் தேவஸ்தானத்து உத்தியோகஸதனிருக்கிறதினாலே மேலே யெழுதிய உத்திரவுபடி நிறைவேறாமல் நடந்து வருகிறதினாலே அப்பேர்பட்ட கெட்ட வாடிக்கையை இனி சரியாய் நடந்து வரும் பொருட்டாய் உமக்கு கண்டிப்பாய் உத்திரவுசெய்கிறதாவது.

மேல்படி சங்கதியைக்குறித்து இதற்குமுன் அனுப்பப்பட்டிருக்கிற இஸ்தியார் உத்திரவுகளை நீர் எடுத்து பார்த்து மனதில் பதிய வைத்துக்கொண்டு அதில் கண்டிருக்கிறபடிக்கு நடந்து வரும்படியாய் ஷை மானியக்காரர் ஊழியக்காரர்களுக்கும் கண்டிப்பாய்த் தெரியப்படுத்தி அவர்கள் அந்தப்படி நடந்துவரும்படி திட்டப்படுத்தி வைக்கிறதுமல்லாமல் நீர் இப்படிப்பட்ட சங்கதிகள் நடக்கிறதாக எந்த விதத்தினால் அறிந்தால் அதை உடனே தடுத்து அந்த சங்கதி அசூருக்கு அறிக்கை செய்யவும்.

நீர் அந்தப்படி நடவாமல் அஜாக்கிரதையாயிருந்து அதினாலே இப்படிப்பட்ட காரியம் நடக்கும்படியாயிருந்ததாக அறிக்கையானால் அதினால் வரப்பட்ட தகாதாவுக்கு நீரே ஜவாப்தாராயிருக்கவேணும்; அறியவும்.

1835 வரு ஜூன் மீ 11உ
மு. திருச்சினாப்பள்ளி.

H. M. BLAIR.
Collector.

8-அணா ஸ்டாம்பு

நெ. ௫. 6th March 1818.

ஸ்ரீரெங்கம் வகைரு தேவஸ்தானம் ஹெட்டு பேஷ்க்காருக்கு அனுப்பப்பட்ட சன்னது பதிவு டைரியிலிருந்து யெடுத்தெழுதிய யெக்ஸ்டிறாக்ட்டு.

ஹெட்டு பெஷ்க்கார் அப்பாசாமி முதலிக்கி யென்னென்றால்.

இந்த பிட்டிஷனில் கண்டிருக்கிற சங்கதிக்காக மெஸ்தர் லேத்தம் துரையினாலே 1808 ௵ எப்பிறில் ௴ 26௳ தீர்ப்பு செய்த டிக்கிரியைப்பார்த்ததிலயும் மெஸ்தர் பிலிப்ஸ் துரையினாலே இந்த சங்கதியைக் குறித்து ஸ்ரீரெங்கம் ஸ்தலதாரிடத்தில் வாங்கின வாக்கு மூலங்களினாலேயும் இதனடியில் கண்டிருக்கிற சங்கதி நிசமானதென்று தெளிவாய் காணப்படுகிறது.

முதலாவது — தென்கலையாராலே நிஷ்கரிஷை செய்யப்பட்ட மார்க்க பிறகாரம் பிறஸ்துதங்களில் நடந்துகொண்டார்களானால் வடகலையாருக்கு யாதொரு அப்பியந்தரமுமில்லையென்று காணப்படுகிறது.

இந்த நிபந்தனைபிறகாரம் மாத்திரமே பிரஸ்துதங்கள் நடப்பிவிக்க வேண்டிய அதிகாரம் வடகலையாருக்கு இருக்கிறது ஆனபடியினாலே ஸ்ரீனிவாசய்யங்காராவது அவனுடைய பேசண்டாவது தென்கலையார் நிஷ்கரிஷை செய்யப்பட்ட மார்க்க பிறகாரம் நடவாமல் போனால் அவனாவது அவனுடைய பேஜண்டினாலேயாவது யாதொரு காரியமும் நடப்பிவிக்கவேண்டியதற்கு நீ சுத்தமாய் ஒப்ப வேண்டியதில்லை. இது சங்கதியைக் குறித்து ஜாமீன் வாங்கவேண்டியது.

1818 ௵ மார்ச்சு ௴ 6௳.

(சரியான காப்பி).

ஸ்ரீனிவாச ராவு,
டிப்டி கலெக்டர்.

No. 5. (Translation)

6th March 1818.

Extract from the Diary of Sannads sent to the Head Peishkar of Srirangam &c. Davastanam.

To The Head Peishkar, Appasawmi Mudali.

With reference to the matter of this petition it is very clear both from the decree of Mr. Latham dated 26th April 1808 and from the depositions taken from the Stalathars about the matter by Mr. Philips that what is stated herein is quite true, namely, that there is no objection to the Vadagaliars acting on important festival occasions in the manner, and according to the ceremonies, prescribed by the Tengaliars. The Vadagaliars have the right to conduct the ceremonies only in the above said manner. Therefore if Sreenivasa Iyengar or his agent does not act in the way prescribed by the Tengaliars, you need not consent to any ceremonies being conducted at all by the said Sreenivasa Iyengar or his agent. You are further directed to take security in the matter.

(Signed) ——————

(True Copy)

6th March 1818, CAMP, TRICHINOPOLY. (Signed)

SREENIVASA ROW,
Deputy Collector.

1818-ம் ௵ மார்ச்சு ௴ 20௳.

திருச்சினாப்பள்ளி சுபா வகையரு கலெக்ட்டராகிய மகா-ா-ா-ஸ்ரீ மெஸ்தர் சார்லீஸ் லெசின்ங்கட்டன் துரையவர்கள் கும்பினி சர்க்காருக்கு ஸ்ரீரெங்கத்தில் யிருக்கும் சாமி அய்யங்கார் குமாரன் முத்துவய்யங்கார் யெழுதிக்கொடுத்த சாமீன் கத்து.

என்னவென்றால், ஸ்ரீரெங்கத்தில யிருக்கும் ஸ்ரீரெங்கராசய்யங்கார் திருமலய்யங்கார் பிராது செய்த பிட்டிசனில் கண்டிருக்கிறசங்கதிக்காக மெஸ்தர் லெத்தம் துரையினால் 1808-ம் ௵ யெப்பிரல் ௴ 26௳ யில் செய்த டிக்கிறியை பார்த்ததினாலேயும் ஸ்ரீரெங்கம் ஸ்தலத்தாரிடத்தில் வாங்கின வாக்குமூலங்களினாலேயும் இதினடியில் கண்டிருக்கிற சங்கதி நிசமானதென்றும் தெளிவாய் காணப்படுகிறதென்றும் முதலாவது, தென்கலையாரால் நிஷ்கரிஷை செய்யப்பட்ட மார்க்கபி

நகாரம் பிரஸ்கூதங்களில் நடந்துகொண்டார்களானல் வடகலையாருக்கு யாதொரு அப்பியந்தரமும் யிலலையென்று காணப்படுகிறதென்றும் யிந்த நிபந்தனைப்பிறகாரமாத்திரமே பிரஸ்கூதங்கள் நடப்பிவிக்கவேண்டிய அதிகாரம் வடகலையாருக்கு யிருக்கிறதென்றும் ஆனபடியால் ஸ்ரீநிவாசய்யங்காரவது அவருடைய பேசண்டாவது தென்கலையார் செய்யப்பட்ட மார்க்கப்பிரகாரம் நடவாமலபோனல் அவருவது அவருடைய பேசண்டு யாதொரு காரியமும் நடப்பிவிக்கவேண்டியதற்கு சுத்தமாய் ஒப்புக்கொள்ளவேண்டியதில்லையென்றும் இதுக்காக சாமீன வாங்கச் சொல்லியும் 1818-ம் ௵ மார்ச்சு-௴ 6-௳ யில் கலெக்டர் துரையவர்கள் அர்ஜியில் யின்டார்சு உத்திரவு வந்ததல்லாமலும் யெட்டு அசிஸ்டாண்டு கலெக்டர் துரையவர்கள் சன்னதில் மேலெழுதிய சன்னது பிரகாரத்துக்கும் சென முதலியார் கோவில் மிராசு சங்கதிக்கி மாமூல்ப... க்கி நடந்துகொள்ளும்படியாயும் சாமீன் வாங்கிக்கொண்டு ஷை மிராசு ஊழியம் செய்துவரும்... திட்டப்படுத்தவுமென்றும் சன்னது வந்திருப்பதினல் அந்தப்படி ஸ்ரீநிவாசய்யங்கார் அவர் பே... ண்டும் மேலெழுதிய 1808-ம் ௵ யேப்பிரல்-௴ 26-௳ யில் பிறந்த மெஸ்தர் லெத்தன் து... தீர்ப்புப்படிக்கும் இப்போது வந்த சன்னது அர்ஜி யிண்டார்சுபடிக்கும் பிரஸ்கூதங்களுக்கு ந... துகொண்டு வருகிறதுமன்னியில் ஷை சென முதலியார் கோவில் மிராசு பரிசாறக ஊழியத்... ம் மாமூல்படிக்கி சாக்கிரதையாய் நடந்துகொண்டு வருவார். அந்தப்பிரகாரம் மேலெழுதிய... நடவாமல் போனல் அப்போது —————— சர்க்காருக்கு அபராதமும் குடுத்து சர்க்கா... யிட்ட தெண்டனைக்கும் உள்படுவேனகவும் இந்தப்படிக்கி யென் மனரூசியால் யெழுதிக்கொ... த சாமீன் கத்து.

சாட்சிகள்.　　　　　　　　முத்து அய்யங்கார் கையெழுத்து

செஷய்யங்கார் அறிவேன்.

இந்தக்கிால் ஸ்ரீரெங்கம் றெங்கப்பநாயக்கன் அறிவேன்.

15th *March* 1824.

ஸ்ரீரெங்கம் வகைரூ தேவஸ்தானம் டைரி புக்கு 1233ம் பசலி ஜூலை௴ 12௳ முதல் 1824௵ ஜூலை௴ 11௳ வரைக்கும் இதிலிருந்து யெடுத்து எழுதிய எகஸ்திறக்ட்டு யென்னவென்றால்.

ஸ்ரீரெங்கம் கோவிலுக்குள்ளாகவும் சப்தப்பிரகாரத்திலும் வேதபாராயணம் நாலாயிரப் பிறபந்தம் முதலாகிய சடங்கு முதலானதுகள் செய்ய தென்கலையார் பாத்தியஸ்தர்களென்றும் வடகலையாருக்கு பாத்தியமில்லையென்றும் முன் ஜில்லா கோர்ட்டு கெ. 130 தாவதில் தீர்ப்பாயிருக்க வடகலையார் இதுவரைக்கும் ஷை தீர்ப்புக்கு விரோதமாய் நடவாமலிருந்து யிப்பொழுது நாளது௴ 11௳யில் ஷை வடகலையார் ஜில்லா கோர்ட்டு தீர்ப்புக்கு விரோதமாய் கோவிலில் வந்து வேதபாராயணம் பண்ணுகிறபடியினலே அவர்கள் அப்படிக்கி தீர்ப்புக்கு விரோதமாய் நடக்கிறதை தடங்கல் பண்ணும்படியாய் உத்திரவாகவேணுமென்று ஷை தென்கலையார் அசூரில் பிட்டிஷன் கொடுத்தார்களாகையால் அது காரியத்துக்கு ஷை வடகலையார் ஜில்லா கோர்ட்டு தீர்ப்புக்கும் முன் கலெகட்டர் துரையவர்களாலே பண்ணியிருக்கிற திர்மானத்துக்கும் விரோதமாய் கோவிலில் வந்து வேதபாராயணம் பண்ண வேண்டியதென்ன ? இனிமேல் வடகலையார்

(Translation).

15th *March* 1824.

Extract from the Diary Book of Srirangam Davastanam from 12th July Fusli 1233 to July 1824.

The Tengaliars of Srirangam have ... sented a petition to Huzur stating ... they (Tengaliars) alone are entitled ... cite Nalayira Prabantham and the V... within the temple, and the Saptha P... ram of Srirangam; that the Vadaga... have not got that right; that it has be... decided in O. S. No. 130 (of 1808) i... Zilla Court that the Vadagaliars, wh... not till then infringed their right, hav... on the 11th Instant, contrary to M... and to the said decision, recited ... within the precincts of the temple and ... therefore they (Vadagaliars) should b... trained from doing the same in ... Why should the Vadagaliars thus ... the Vedas within the temple and ac... trary to the Zilla Court decision ...

கோவிலில் வந்து ஷை தீர்ப்புக்கு விரோதமாய் வேதபாராயணம் முதலாகிய மற்ற தீர்ப்பில் கண்டிருகிற யாதொரு சடங்குகள் செய்யாமல்படிக்கு நீர் சாக்கிரதை செய்யவும்.

சாந்தரீஸ் துரை யென்று தமிழில் எழுதப்பட்டிருக்கிறது

1824 வரு மார்ச்சு மீ 15வ
திருச்சிறாப்பள்ளி.

the order of the late Collector? You are to take care in future that the Vadagaliars should not, within the precincts of the temple recite Vedas or do any of the ceremonies referred to in the decisions, contrary to the spirit of those decisions.

15th March 1824,
CAMP, TRICHINOPOLY. (Signed) SAUNDERS.

29th July 1826.

Dewany Adaulut Zillah Kumbakonam.

Present—George Frederick Cherry Esquire, Judge.

Original Suit No. 82 of 1825.

Plaintiff—Kurathalvar Aiyangar of Srirangam.

Defendants.

Versus—1. Parasara Bhuttur
2. Vadavyasa Bhuttur
3. Pillachy Vathiar
4. Kasturi Aiyangar
5. Kuppaniengar
6. Srirangachari
7. Srinivasaiyangar
8. Tundulam Venkita-Krishniengar
9. Ramiengar and
10. Veeraperumal of the same place

Srinivasachariar, Pleader to the 1st Defendant and Venkata Row, Pleader to the 2nd, 3rd, 4th, 6th, 7th, 9th and 10th Defendants.

Decree.

The plaintiff in his petition filed on the 29th March 1825, stated that he is one of 34 Brahmins of Srirangam, who are formed into a company or body for the purpose of making Veda Parayanam (reciting the Vedas) behind the Swami at the Srirangam Pagoda on the occasion of its being carried at processions, and that he had paid Rs 12½, as usual, to that body, for his being received amongst them, on the 20th of Auvani of Yoovah (1815) and had from that period, recited the Vedas, and thereby had become entitled to receive a share of the emoluments receivable by that body; that the Defendants had allowed him his share up to 15th of the month Chittarai of Tarunah (April 1824) but have refused it since The plaintiff therefore calculating the emoluments from the 16th Chittarai to 16th Masi (or April 1824 to February 1825) at a sum of Rs 510, claimed for his share (being one in 34) Rs 15. He further stated that although the 1st and 2nd defendants have no share in the said emoluments, he had sued them also from their being "Heads or Managers of that body".

The 2nd Defendant in his answer filed 28th July 1825, stated that the Plaintiff being a Vadagalai Brahmin had no right to force himself into the body as all those who performed "Veda Parayanam" were all Brahmins of the "Tengalai Division"; that the plaintiff had never enjoyed that privilege which was given solely

to the "Tengalai Brahmins" by a decree passed by the Zillah Judge Mr. Latham in Original Suit No. 130 on the file of the Late Zillah Court of Trichinopoly under date 28th April 1808 as well as by orders issued by the Collectors of Trichinopoly and that this suit being instituted in opposition to that Decree ought to be dismissed under sections 9 and 10, Regulation II of 1802.

The 3rd, 4th, 6th, 7th, 9th and 10th Defendants admit at the bottom of the above answer, that it is correct.

Against the 5th and 8th Defendants, the cause was tried exparte.

The first Defendant in a separate answer filed on the same date admitted the correctness of the plaint but denied the Plaintiff's right to sue him as Defendant.

The Plaintiff in his reply filed on the 6th August 1825, stated that the Decree in Original Suit No. 130 related merely to the performing certain ceremonies in the houses at Srirangam and not to the making "Veda Parayanam" at the pagoda that the orders of the Collectors have likewise no reference to the subject in question; and that Brahmins of the Vadagalai division were admitted into that assembly and had been so both before and after the passing of the Decree in No. 130; that there are even now in that body 8 other persons of Vadagalai besides the Plaintiff, of whom 5 had been admitted before; and 3 others together with the Plaintiff subsequent to the date of that decision

The Rejoinder filed on the 22nd August 1825 is merely a repetition of the answer given by the 2nd Defendant &c.,

The Plaintiff filed no document, but examined 3 witnesses viz., 1. Annathurai Aiyangar, 2. Rengaiyangar, 3. Srinivasaiyangar.

The Defendants filed 3 documents viz :—

1. Copy of a Decree in Original suit No. 130 on the file of the Late Zillah Court of Trichinopoly.

2. An order issued by the Collector of Trichinopoly under date 6th March 1818

3. An order issued by the Collector of Trichinopoly under date 15th March 1824.

The Defendants examine 3 witnesses, Viz:— 1. Seshaiyangar. 2. Ayyasami aiyangar. 3. Vengooviengar.

The Zillah Judge having attentively perused the pleadings in this suit as well as Vouchers filed, and heard the evidence given by the witnesses on both sides, comes to the following conclusion.

1. That it appears to the Court that the Plaintiff has clearly brought the claim against the Defendants by this suit with the intention of creating a right not only for himself, but for all other Brahmins of the Vadagalai division "residing at Srirangam to perform the Veda Parayanam" at the pagoda alluded to in the pleadings.

2. That by the Decree passed by Mr. Latham formerly the Jugde of the Z[illah] Court of Trichinopoly under date the 28th April 1808 in Original suit No. 13[0] it appears evident that all right and control as to the performance of all and ea[ch] of the ceremonies required for that Pogoda was declared by him to be vested in [the] Brahmins of that Establishment, who were of the "Tengalai division" and tha[t] others were prohibited from interfering with or doing any of the ceremonies "except with the acknowledged consent and approbition of the Tengalai Brahm[ins]

3. That as no appeal against that decision appears ever to have been admitted the Zillah Judge is of opinion that under the provision of sections 9 & 10 Regulation II of 1802, the Plaintiff's suit must be dismissed and he does, accordingly nonsuit the Plaintiff, with costs, as specified hereunder.

To be paid by the Plaintiff to the 2nd, 3rd, 4th, 6th, 7th, 9th and 10th Defendants.

Value of stamp paper	Rs	12	8	0
Batta to peons	Rs	1	8	10
Fees of the Pleader	Rs	0	12	0
Total	Rs	14	12	10

To the 1st Defendant.

Value of stamp paper	Rs	1	8	0
Fees for Pleader	Rs	0	12	0
Total	Rs	2	4	0

To be borne by the Plaintiff.

Value of stamp paper	Rs	8	0	0
Batta to peons	Rs	2	9	1
Total	Rs	10	9	1
Total	Rs	27	9	11

Total.— Rupees Twenty-seven, annas nine, and Pies eleven.

Given under my hand and the seal of the Court House at K mbak nam this 2?th day of July 1826.

(Signed) G. F. CHERRY,
Judge.

29th November 1827.

TO

The Secretary to the Board of Revenue. Madras.

Sir,

1. I have the honor to acknowledge the receipt of your letter of the 25th September 1826, forwarding to me for investigation a petition presented by certain Brahmins of Srirangam.

2. The petitioners are Brahmins of the Vadagaliar sect and their claim in a few words is to enjoy certain privileges in the Srirangam Pagoda which have invariably been enjoyed by the Brahmins of the Tengaliar sect.

3. The petitioners have stated that they were in full possessionof the privileges to which they have laid claim until March 1824, when they were deprived of them by the late Collector. I beg to say that the statement is false. The petitioners have been disputing with the adverse party for the enjoyment of these privileges ever since the country was assumed by the Company and I have every reason to ...e that their disputes extended far beyond that period. In the year 1808, they ...dvised to file a suit in the Zillah Court for the recovery of what they con...o be their rights. This they did, and in a decree passed by Mr. Latham ...suit by which it is evident that the Zillah Judge devoted the utmost attention ...nvestigation of the rights of the two parties, it was declared that the peti... had no right whatever to the privileges which they have again claimed in ...tion under consideration, they belonging exclusively to the Tengaliars.

4. In the year 1818, the claims of the petitioners were exposed to a second scrutiny by Mr. Lushington and in the decision which he passed on them he declared that the petitioners had no title to any privileges as of their own right but that they must act in subserviency to the Tengaliars and only perform such ceremonies as were prescribed by them.

5. In the year 1824, the Tengaliars complained that contrary to the former decisions the Vadagaliars had usurped the privileges declared to belong to them. An order was in consequence passed by Mr. Saunders for enforcing the former decisions against them.

6. In 1825, the petitioners filed another suit in the Zillah Court of Combaconam for the recovery of their privileges, and in the decree passed by the Judge, he not only dismissed the claim advanced on the grounds of a decision having already been passed upon it by a Court, but declared his opinion founded on the evidence taken that the petitioners had no right to the privileges they claimed.

7. By the above the Board will perceive that the claims of the petitioners have already been thoroughly investigated, and they will I think agree that nothing further can be done. To prevent the petitioners from again urging their claim, will, I imagine be impracticable, but I cannot perceive any good that can possibly arise from any, further proceedings being held upon it.

8. I beg to return the petition which was sent to me with its several accompaniments.

29th November 1827. (Signed) H DICKINSON,
Collector.

11th September 1828.

1828௵ செப்டம்பர்௴ 11௳ திருச்சிறாப்பள்ளி சுபா வகைரு கலெகட்டர் துரையவர்களுடைய நடவடிக்கையிலிருந்து எடுத்தெழுதின எக்ஸ்திராக்டு.

ஸ்ரீரெங்கத்திலிருக்கும் வடகலையாராகிய நெருநாதாசாரியார் முதலான 100 பேர் கொடுத்த பிட்டிஷனில் ஸ்ரீரெங்க ஸ்தலத்தில் வேதபாராயணம் பண்ணிக் கொண்டு வந்ததை தெனகலையா[...] தடங்கல் பண்ணுகிறபடியினாலே மாமூல்படிக்கி வேதபாராயணம் பண்ணும்படி உத்திரவா[...] வேணுமென்றும் பின்னும் இது சங்கதியைக் குறித்து அனேகம் தடவை பிட்டிஷன் கொடுத்தத[...]கு யாதொரு உத்திரவும் கிடைக்க இல்லை என்றும் 1828௵ செப்டம்பர்௴ 5௳ பிட்டிஷன் கொ[...]டுத்தார்கள். கலெகட்டரவர்க்ள் தீர்மானம் பிட்டிஷனர்களுக்கு என்னவென்றால்.

ஸ்ரீரெங்கம் ஸ்தலத்தில் வேதபாராயணமும் பின்னும் சகலவித சடங்குகளும் தென்கலையா[...] நடப்பிவிக்கிறதென்னும் 1808௵த்திய 130வது நெ. ரிலும் 1825௵த்திய 82வது நெ. ரிலு[...] ஜில்லா ஜட்ஜி துரையவர்கள் தீர்ப்பு செய்திருக்கிறதும் தவிர அதைக் குறித்து முன் கலெக்ட[...] துரையவர்களும் அனேகமாய் உறுதிப்படுத்தி உத்திரவு கொடுத்துமிருக்கிறார்கள். மேற்சொல்லிய நடவடிக்கைகளைப் பார்த்து நாமும் அந்தப் பிரகாரமே 1827௵ நவம்பர்௴ 29௳யில் போர்டுக்கு ரிபோர்ட்டு செய்திருக்கிறோம். இது சங்கதியைக் குறித்து அனேகம் தடவை விசாரணை செய்து உத்திரவு கொடுத்திருக்க ஒரு உத்திரவும் குடுக்க இல்லை என்று அபத்தமாய் எ[...] கிறீர்கள். மேற்கண்டிருக்கிற முகாந்திரங்களினாலே ஸ்ரீரெங்கம் ஸ்தலத்தில் வேதபாரா[...]ணுகிறதற்கு உங்களுக்கு எவ்வளவும் பாத்திய மிருக்கிறதாக நமக்கு காணப்படவில்லை.

(A true extract).

(Signed) A. DICKINSON,
Collect[...]

19th August 1829.

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் டைரி புஸ்தகம் 1829 ௵ ஜுலை-௴ 12௳ க்கு 39-ம் பசலி இதிலிருந்து யெடுத்தெழுதிய யெகிஸ்திராக்ட் நெ. 67 யென்னவென்றால்.

ஸ்ரீரெங்கத்தில் வந்திருக்கிற அகோபிலஜீயர் வழக்கத்துக்கும் அதிகாரஸ்தர்களுடைய தீர்ப்புக்கும் விரோதமாய் தென்கலையார் செய்யப்பட்ட வேதபாராயணம் நாலாயிரப்பிரபந்தம்முதலாகியதை செய்கிறதாயும் அகோபிலஜீயர் வெளியில்புறப்படுகிறபோது ஸ்ரீரெங்கநாதஸ்வாமியார் வெளியிலே புறப்படும்போது யெந்த மரியாதை செய்வார்களோ அந்த மரியாதையாகிய வேதபாராயண நாலாயிரப்பிரபந்தமும் சொல்லிக்கொண்டு வெளியில் புறப்படுகிறதாகவும்பின்னும் மேளதாளத்துடனே திருமஞ்சனம் கொண்டுவருகிறதாகவும் ஸ்ரீரெங்கநாராயணஜீயர் அர்ஜியினாலே தெரியவந்தபடியினாலே உமக்கு கண்டிப்பாய் உத்திரவு செய்கிறதாவது:- ஷை அகோபிலஜீயரும் மைற்றவடகலையாரும் வழக்கத்துக்கும் அதிகாரஸ்தர்களுடைய தீர்ப்புக்கும் விரோதமாய் மேல்சொல்லிய காரியங்...ர செய்யாமலிருக்கும்படியாய் கண்டிப்பாய் ...க்கீது செய்யவும். 1829௵ ஆகஸ்டு௴ 19௳ ...காம் பொய்யாமணிதாசாகலம்இந்தப்படிக்கு தா...து செய்து யிதின்பேரில் நடக்கப்பட்ட சங்கதி...ள அஜூருக்கு ரிபோர்ட்டு செய்யவும்.

829௵ ஆகஸ்டு௴ 19௳

சரியான நகல்

(ஒப்பம்) தி. பட்டாபிராம்,
ஆ. டி. கலெக்டர்.

Trichinopoly 19th August 1829.

Extract from the diary of Srirangam &c. Davastanam for Fasli 1239 (i.e.) from 12th July 1829.

No. 67 It has come to our knowledge from the Urzi of Sriranga Narayana Jeer that the Aghobala Jeer who is come down in Srirangam, makes Vadagalai people recite Nalayira Prabantham and Vadas contrary to long usage and to the official decisions, the Tenkaliars alone being entitled of right to recite the same, that when the said Agohbala Jeer comes out he comes out with recitals of Nalayira Prabantham and Vadas as if he were the God Radganathaswami himself and that water for the bathing of his idol (திருமஞ்சனம்) is brought with Music; and we hereby strictly order as follows:-you are to warn the said Agohbala Jeer and the other Vadagaliars very strictly that they should not do the above said things contrary to loug usage and to the spirit of the decrees passed by officials. You are to report to Huzar what happens after you have so warned them.

19th August 1829,

(Signed) T. PATTABIRAM,
Acting Deputy Collector.

18th September 1829.

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் டைரி புஸ்தகம்: 1829௵ ஜுலை௴ 12௳ க்கு 39 ம் ...லி இதிலிருந்து எடுத்தெழுதிய எக்ஸ்திராக்ட்.

134

என்னவென்றால் மைசூரிலிருந்து வந்திருக்கிற அகோபிலஜீய்யர் அதிகாரஸ்தர்களுடைய தீர்புக்கும் மாமூலுக்கும் விரோதமாய் நடக்கிறதாய் ஸ்ரீரெங்கம் ஸ்தலத்தார் நம்முடையபேருல் இங்கிலீஷ் அர்ஜி எழுதிக்கொண்டதின்பேரில் ஷை அகோபிலஜீயர் வக்கீல்களை வரவழைத்து கேட்குமிடத்தில் தீர்ப்புக்கு விரோதமாய் நடக்கிறதில்லையென்று சொன்னபடியினாலேயும் அவர்களுடைய சுவாமிக்கு திருமஞ்சனம் கொண்டுவரும்போது ஒரு ஜதை மேளவாத்தியமட்டும் வரவேணுமென்றும் ஷைசுவாமியார் வெளியில பல்லாக்கின்பேரிலாவது மைத்த எவ்விதமாவது வெளியில் வரும்போது வேதபாராயணம் செய்யக்கூடாதென்றும் மடத்தில் 4000 பிறபந்தம் செய்யக்கூடாதென்றும் அவர்களுடைய பிருதுகளுடனே கோவிலுக்குப்போனால் சகல பிருதுகளும் ஆறியவிட்

டான் வாசலில் வைத்துப்போட்டு உள்ளே போகவேணுமென்றும் சித்திரை வீதியில் அவர்களுக்கு
சொந்தமாயிருக்கிற மடத்துக்காக சொல்லிக்கொள்ளப்பட்டதற்கு பிறகின்பேரில் விசாரணை செ
ய்யப்படுமென்றும் வடகலையாருக்கு ஷை கோவிலில் ஒரு ஆதிக்கமும் உண்டுபண்ணக்கூடாதென்
றும் இதுகளெல்லாம் ஷையார் வக்கீலிடத்தில் சொன்னவிடத்தில ஷையார்களும் மேல்கண்ட
பிரகாரம் நடந்துகொள்ளுகிறதாக சொல்லிக்கொண்டபடியினாலே அதற்கு அதிகமாய் யாதொன்
றும் நடக்காமல் சாக்கிரதை செய்யவும். பின்னும் ஷை சுவாமியார் ரெங்கநாத சுவாமிக்கு கெருட
வாகனம் செபவிக்கிறதாகவும் அந்த வேலை முடிகிறவரையில் ஸ்ரீரெங்கத்தில் இருக்கும்படியாயும்
மாமூல்படிக்கு மரியாதை நடப்பிவிக்கும்படியாய் உத்திரவாகவேணுமென்று கேட்டுக்கொண்டப
டியினாலே ஷையாருக்கு ஒரு மாசத்துக்கு உத்திரவு கொடுத்திருக்கிறோமாகையால் அவர்களுக்கு
மாமூல்படிக்கு மரியாதைகள் நடப்பிவித்துக்கொண்டுவரவும்.

1829-ம் ௵ செப்டம்பர்-மீ 18-உ முகாம் திருச்சிநாப்பள்ளி.

(Signed) CAMERON,
Collector.

(True copy). T. PATTABHIRAM,
Ag. Dy. Collector.

1st *October* 1829.

தேவஸ்தானம கோனாட்டுத்தாலூக்கா தாசி
ல்தார் பேருல் எழுதப்பட்ட சன்னதுகளுக்கு
டைரி 1829ம் ௵ ஜுலை மீ 12உ க்கி 1239 ம்
பசலி முதல இதிலிருந்து யெடுத்தெழுதிய யெக்
ஸ்திராக்ட்டு.

கோனாட்டு தாலூகா முசுமுதாருக்கு யென்
னவென்றால அதிகாரஸ்தாளுடைய திர்ப்பில் ஸ்ரீர
ங்கத்தில் வடகலையார் வேதபாராயணம் நாலாயிர
பிரபந்தம் சொல்லக்கூடாதென்று திர்மானம் செ
ய்திருக்க மைசூரிலிருந்து வந்திருக்கிற ஆகோபள
ஜீயர் அவர் மடத்தில் வடகலையாரைக்கொண்டு
வேதபாராயணம் நாலாயிர பிரபந்தம் செய்கிறதா
க தெரியவந்தபடியினாலே இனிமேல்பட திர்ப்புக்
கு விரோதமாய் நடவாமல் தாக்கிதை செய்கிறது
மல்லாமல் அந்தப்படி நடவாமல் மறுபடியும் திர்
ப்புக்கு விபராதமாய் வடகலையாரைக்கொண்டு ந
டப்பிவித்தால் உடனே அப்படிக்கி வேதபாராய
ணம் நாலாயிர பிரபந்தம் சொல்லப்பட்டவர்களை
பிடித்து அருருக்கு அனுப்பிவிக்கவும். 1829௵
அக்டோபர்-மீ 1-உ முகாம் திருச்சிநாப்பள்ளி
மேஷடர் CAMERON துரை மேஜிஸ்திரேட்
டு என்று தமிழில் எழுதப்பட்டிருக்கிறது.

(True Copy)

(Signed) ——————
Deputy Collector.

1st *October* 1829.

Extract from the diary of Sanads sent
the Tahsildar of Konad Taluq (Trichi
poly Taluq) to the Devastanam from
12th July 1829 (Fusli 1239)

"To the Muzumdar of Konad Talu
whereas it has been decided by officers
Courts that Vadagaliars should not
Nalayira Prabandam and Vadaparayan
within the limits of Srirangam, one Ag
bala Jeer who is come from Mysore se
to have made Vadagaliars recite the s
in his mutt. You are therefore directe
warn them that they should not in fu
act contrary to the said decisions, and
ther to arrest and send up at once to H
any persons who might recite Vedapar
nam or Nalayira Prabandam, in case
same is conducted again by Vadaga
contrary to this order and to the purp
the said decisions

1st October 1829
TRICHINOPOLY.

(Signed) CAMERO
Magi

2nd October 1829.

ஸ்ரீரெங்கத்திலிருக்கும் டாணு சேவுகன் முத்துகருப்பனுக்கு யென்னவென்றால், அதிகாரஸ்தர்களுடைய தீர்ப்பில் ஸ்ரீரெங்கத்தில் வடகலையார் வேதபாராயணம் நாலாயிரபிரபந்தம் செய்யக்கூடாதென்று தீர்மானம் செய்திருக்கிறதாகவும் மைசூரிலிருந்து வந்திருக்கிற அகோபலஜீயர் அவர் மடத்தில் வடகலையாரைக்கொண்டு வேதபாராயணம் நாலாயிர பிரபந்தம் செய்விக்கிறதாகவும் தெரியவந்தபடியினாலே இனிமேல் அப்படி தீர்ப்புக்கு விரோதமாய் வடகலையாரைக்கொண்டு நடப்பிவித்தால் உடனே அப்படிக்கி வேதபாராயணம் நாலாயிரபிரபந்தம் சொல்லும்பேர்களைப்பிடித்து அசூருக்கு அனுப்பிவிக்கச்சொல்லி அசூர் மேஜஸ்திரட்டியிலிருந்து 22 லெ. சன்னது உத்திரவு வந்திருப்பதினாலே உனக்கு உத்திரவு செய்கிறதாவது: மேலெழுதியபடிக்கி தீர்ப்புக்கு விரோதமாய் இனிமேற்பட மேல்படிஜீயர் மடத்தில் வடகலையாரைக்கொண்டு வேதபாராயணம் நாலாயிரபிரபந்தம் செய்விக்காமலிருக்கும்படியாய் ஷை ஜீயருக்கு தெரியப்படுத்தி சாக்கிரதை செய்யவும். இனிமேல்பட அப்படிக்கி நடவாமல் நீ கவனமாய் விசாரித்துக்கொண்டுவரவும். அப்படிக்கில்லாமல் மறுபடியும் மேலெழுதியபடிக்கி வடகலையாரைக்கொண்டு வேதபாராயணம் நாலாயிரபிரபந்தம் செய்வித்தால் அப்பேர்ப்பட்டவர்களை அவர்களை அப்படிக்கி செய்வித்ததற்கு சாக்ஷிகள் சித்தமாய் கூட்டிவந்து அசூர் மேஜிஸ்திரேட்டுக்கு அனுப்பவேண்டியதற்காக நம்மிடம் ஆஜர்ப்படுத்தவும் அறியவும்.

1829 ஸு அக்டோபர் மீ 2 உ. (ஒப்பம்) இந்தப்படிக்கி கோனட்டு தாசில்தார்

மணவாளயயங்கார், திருச்சிறாப்பள்ளி.

8th October 1829.

(8 அணா)

ஸ்ரீரெங்கம் வகையரா தேவஸ்தானம் டைரி புஸ்தகம் 18 29 ஸு ஜூலை மீ 12 உக்கு 39ம் பசலி. இதிலிருந்தெடுத்தெழுதிய எக்ஸ்திராக்ட்டு.

நெ. 179 அக்டோபர் மீ 8உ.

ஸ்ரீரெங்கம் டிப்டி பேஷ்கார் திருமலராவுக்கு யென்னவென்றால் அகோபலஜீயர் சுவாமி தெரிசனத்துக்காகப் போகும்போது உபநிஷத்து சொஸ்திவாசனம் சொல்லிக்கொண்டுபோகிற வழக்கமென்றும் ஆனால் இப்போது வேதபாராயணம் நாலாயிரப்பிரபந்தம் சொல்லக்கூடாதென்று உத்திரவானபடிக்கு அதுகளை பாராயணம் செய்யவில்லை. சொஸ்திவாசனம்கூட செய்யக்கூடாதென்று சேவகர் அடிகாயிக்கிறதாகவும் மாமூல்படிக்கு சொஸ்திவாசனம் செய்துகொள்ளும்படி உத்திரவாகவேணுமென்று கேட்டுக்கொண்டபடியினாலே உத்திரவு செய்கிறதென்னவென்றால், சொஸ்திவாசனம் செய்துகொள்ள உத்திரவு கொடுத்திருக்கிறோமாகையால் ஒரு தென்கலை பிராமணனை ... பநிஷத்து சொஸ்திவாசனம் தவிர மற்ற நாலாயிரப்பிரபந்தம் வேதபாராயணம் செய் ... க்கிரதை செய்துகொள்ளவும். 1829 ஸு அக்டோபர் மீ 8 உ முகாம் திருச்சிறாப்ப ... ர். கேம்பிரன் துரையவர்கள் சயன் யென்று தமிழில் எழுதப்பட்டிருக்கிறது.

(ஒப்பம்) பட்டாபிராம்,

அ. டி. கலெக்டர்.

1829 ௵ நவம்பர் ௴ 18௳

நெ. 6. 8 அணு ஸ்டாம்பு

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் யெட்பேஷ்கார் டைறி புக்கு சுபா திருச்சிறாப்பள்ளி 1239ம் பசலிக்கிச்சரியான 1829 ௵ ஜூலை ௴ 12௳ முதல் 1830 ௵ ஜூலை ௴ 11௳ வரைக்கும் இதிலிருந்தெடுத்தெழுதிய யெக்ஸ்திராக்ட்டு.

யென்னவென்றால் ஸ்ரீரங்கம் ஸப்தபிரகாரத்துக்குள்ளாக வடகலையார் வேதபாராயணம் முதலானதுகள் சொல்லாமலிருக்கவேண்டியதற்காக முன்னமே மேஸ்தர் லேத்தன் துரையவர்கள் தீர்ப்பு செய்திருக்க அந்த தீர்ப்புக்கு விரோதமாயிப்போது ஸ்ரீரங்கத்துக்குள்ளாக வடகலையார் வேதபாராயணம் முதலானதுகள் செய்கிறதாகவும் ஸ்ரீரங்கநாராயணஜீயர் அசூருக்கு ரிபோர்ட்டு செய்திருக்கிறபடியினாலே இனிமேல் வடகலையார் வேதபாராயணம் முதலானதுகள் பண்ணாமலிருக்கும்படி ஷெடியார்களுக்குத் தெரியவேண்டியதற்காக ஒரு விளம்பரம் தயார்செய்து இத்துடனே யனுப்பியிருக்கிறோமாகையால் ஷெ விளம்பரத்தை ஸ்ரீரங்கத்திலிருக்கும் சகலமான வடகலையார்களுக்குத் தெரியும்படியாயும் தமுக்கு மூலியமாய் பிரசித்தப்படுத்திவிக்கிறதும் தவிர ஷெ விளம்பரத்தை சகலமான பேர்களுக்கும் தெரியும்படியாய் பயிரங்கமான விடத்தில் ஒட்டிவைக்கவும் அதறியவும்.

1829 ௵ நவம்பர் ௴ 18௳ } இது பார்த்தெழுதின டைரி பதிவில் அதிகாரஸ்தாளுடைய ஒப்பம் கண்டிராத்தா விதில் போடவில்லை.

டி. பட்டாபிராம்,

ஆ. டி. கலெக்டர்.

18*th* *November* 1829.

ஸ்ரீரெங்கம் வகைரு தேவஸ்தானம் யெட் பேஷ்கார் டைரிபுக்கு சுபா திருச்சிறாப்பள்ளி 1239 பசலிக்குச்சரியான 1829 ௵ ஜூலை ௴ 12௳ முதல் 1830 ௵ ஜூலை ௴ 11௳ வரைக்கும் இதிலிருந்து எடுத்தெழுதிய எக்ஸ்திராக்டு.

திருச்சிறாப்பள்ளி சுபா வகைரு கலெக்டருகிய மெஸ்தர் காமிறூன் துரையவர்கள் இதனாலே ஸ்ரீரெங்கம் சப்த பிரகாரத்துக்குள்ளாக யிருக்கிற வடகலையாருக்கு அறிவிக்கிறதாவது யென்னவென்றால், நீங்கள் இப்போது முன் ஜட்ஜி துரையவர்கள் செய்திருக்கிற தீர்ப்புக்கு விரோதமாய் சப்த பிரகாரத்துக்குள்ளே வேதபாராயண முதலானது செய்கிறதாயும் நமக்குத்தெரியவந்தபடியினாலே உத்திரவு செய்கிறதாவது; தென்கலை, வடகலை சங்கதிக்காக முன

18*th* *November* 1829.

Extract from the diary of Sunnads sent to the Head Peishkar of Srirangam &c., Devastanam from the 12th July 1829 (corresponding to Fasli 1239) to 11th July 1830.

As Srirenga Narayana Jeer has reported to Huzur that contrary to the decision of Mr Latham to the effect that the Vadagalais should not recite the Vedas etc. within the Sapthaprakaram of Srirangam, the Vadagaliars do now recite Vedas &c. in Srirangam, we have prepared and herewith sent a proclamation to let them (the said Vadagaliars) know that they should not in future do the same. You are therefore to make known the contents of the said proclamation to all the Vadagaliars in Srirangam by beat of tom-tom, and the notice should also, be stuck up in some conspicuous public place, so that it might be known to all.

No signature is to be found in diary book from which this is copied.

18*th* *November* 1829.

(True copy)

T. PATTABHIRAM.
Acting Deputy Colle

(Translation)

18*th* *November* 1829.

Extract from the diary book of the Head Peis of the Devastanam of Srirangam, District, kept from 12th July 1829 (11th July 1830.

Notice issued by Mr. Camero Trichinopoly District, to the residing within the seven Pr Srirangam is as follows:—

As it has come to our kno you are now reciting Vedapar Nalayira Prabandam within th karams contrary to the decisio

ஹேலை ஜில்லா ஜட்ஜி மேஸ்தர் லேத்தன் துரைய வர்கள் தீர்ப்புக்கு விரோதமாய் வேதபாராயண முதலானது செய்யாமலும் வாயிதாவுக்கு விரோதமாய் நடவாமலும் அந்த தீர்ப்பில் எந்தப்படி கண்டிருக்கிறதோ அந்தப்படி நடந்து கொள்ளவும் அப்படி நடவாமல் வாயிதாவுக்கும் தீர்ப்புக்கும் விரோதமாய் நடந்தால் அப்படிப்பட்டவர்களுக்கு பாரி அபராதம் விதிக்கப்படும் 1829ளு நவம்பர்மீ 18 உ முகாம் முசிரி.

இது பார்த்தெழுதின டைரி பதிவில் அதிகாரஸ்தன் ஒப்பம் கண்டு இராத்தால் இதில் போடவில்லை.

(True Copy)

Signed T. PATTABIRAM,

Ag. Dy. Collector.

Judge, we hereby order you strictly to conform to the provisions of the decree passed by the former Zillah Judge, Mr. Latham in the matter of the Vadgalai and Tengalai affairs and not to say Vedaparayanam &c. in violation of the terms thereof. In case you violate the provisions of that decree and act contrary to it, a large fine will be inflicted on the offenders.

18th November 1829.

(Signed) T. PATTABHIRAM,

Ag. Dy. Collector.

2nd April 1832.

Extract from the Proceedings of the Court of Circuit for the Southern Division dated the 2nd April 1832

Read return from the Acting Magistrate of Trichinopoly under date the 28th to this Court's precept of the 21st Ultimo upon the subject of complaint preferred by certain Vadagalai Brahmins of having been fined for reciting Vedas by the Moozoomdar discharging the duties of the Conad Taluq and also submitting copy of petition presented by certain Brahmins of the same caste to the late Magistrate of Trichinopoly and his proclamation on that matter.

The acting First Judge does not consider it as coming within his province to discuss the rights of parties, because they are decidedly of a civil nature, and can only be decided by a Civil Court. The only question is whether the Magistrate is competent to issue any such proclamation grounded upon a decree of the Zillah Court which the parties allege, never was enforced. Whether enforced or executed is not material as the case stands before the Court of Circuit. It appears to the acting First Judge on circuit by S. 9 Regulation III of 1802 that the Courts passing decrees are alone competent to enforce them and not the Collector or Magistrate. The proclamation of the Magistrate is a virtual enforcement of the decree without any grounds before him, for it is not shown that any precept to that effect had ever issued and it is doubtful if one ever had been issued but admitting that the decree was in effect, was it competent for the police officer to take cognizance of a resistance to it, for the proceedings of the Vadagalais were a resistance to the decree inasmuch that they were doing that which the decree declared they had no right to do.

By S. 26 of the same Regulation it is provided that the Zillah Court alone shall take cognizance of resistance to their orders and decrees; therefore the Police officer has acted illegally in taking cognizance of the matter and fining the parties. The resistance to the decree should have been brought to the notice of the Judicial

authority by the parties interested in the matter. If this course had been followed the disputed point would have been set at rest.

The acting First Judge on circuit is disposed to believe that the decree never was enforced, because an appeal was made from the same; which application for appeal has been before the Provincial Court without any final order having been passed thereon.

The acting First Judge on circuit is prepared for the state pretence of a breach of the peace being apprehended to warrant the interference—those who threaten or manisfest tokens of committing it are the persons that should be restrained.

The acting First Judge therefore requires that the proclamation should be recalled and the fine returned to the parties. In passing the order it is not intended that the question of right to recite the Vedas should be established for either party. That is still open to discussion and the parties know where to apply for a decision.

(True Extract)

(Signed) G. GARROW,
Acting First Judge.
On Ci

2nd April 1832

4th April 1832.

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் ஹெட்
பெஷ்கார் வெங்கிட்டரமணய்யனுக்கு

என்னவென்றால் ஸ்ரீரெங்கம் சப்த பிராகாரத்துக்குள்ளே வடகலையார் வேதபாராயணம் முதலானது செய்யாமலிருக்கும்படியாய் 1829 ௵ நவம்பர் ௴ 18 உ ல் மாஜி கலெக்டர் மெஸ்தர். கேமரன் துரையவர்களாலே விளம்பரம் அனுப்பப்பட்டிருக்கிறதை ரத்துசெய்கிற சங்கதியைக் குறித்து விளம்பரம் தயார் செய்து இத்துடன் அனுப்பியிருக்கிறோமாகையால் அது சகலமான பேர்களுக்கும் தெரியும்படியாய் பிரசித்தப்படுத்திவைத்து சகலமானவர்களும் படித்துப்பார்க்கும்படியாய் பயிரங்கமான இடத்தில் ஒட்டிவைக்கவும்

திருச்சினாப்பள்ளி.
1832 ௵ எப்பிரல் ௴ 4உ

ருபர்ட் நெல்லிசன் துரையவர்கள் சயன்.

4th April 1832.

திருச்சினாப்பள்ளி சுபா ஆக்டிங் மாஜிஸ்திரேட்டு நெல்லிசன் துரையவர்கள் இதினாலே சகலமானவர்களுக்கும் அறிவிக்கிறது என்னவென்றால்,

ஸ்ரீரெங்கம் சப்த பிராகாரத்துக்குள்ளே வடகலையார் வேதபாராயணம் முதலானது சொல்லக்கூடாதென்று மாஜி கலெக்டர் கேமரன் துரையவர்களால் 1829 ௵ நவம்பர் ௴ 18உ விளம்பரம் போட்டிருந்ததல்லவா; அதை இன்றையத்தினம் நாம் ரத்து செய்துபோட்டோம்.

1832 ௵ யேப்ரல் ௴ 4௳ :

நெல்சன் துரையவர்கள்.
ஆக்டிங் மேஜஸ்டிரேட்.

4th April 1832.

Extract from the diary of M P. of 1

To Venkattaramaiyer Head P
Srirangam.

You are hereby to know that you d
lish and affix in conspicuous places of
gam the notice herein enclosed that th
dated 18th November 1829 of Mr Ca
the late Collector purporting that t
dagalais are to be prevented from
out reciting their Vedams within the
compounds of Srirangam is hereby
led.

4th April 1832,
Trichinopoly. (Signed) R. NELSC
Ag. Magis

4th April 1832

Extract from the Diary of M P. of 18
Notice issued by Mr. Nelson Ag.
trate, Trichinopoly

The notice issuedby the late Co
Mr. Cameron bearing date 18th
vember 1829 that Vadagaliars shou
come reciting their Vedas within the
compounds of Srirangam has been h
cancelled.

4th April 1832. (Signed) R. NELSO
Ag. Magist

4th April 1832.

In returning the precepts accompanied by Extract from the proceedings of the Ag. first Judge on Circuit requiring that the proclamation issued by Mr. Cameron against the Vadagalaiyars under date 18th November 1829 should be recalled and the fine to be returned to the parties, the Ag. Magistrate has the honor to state that in obedience to the order from the Circuit Judge he has this day recalled the proclamation in question and ordered the fine to be returned to the parties.

Given under my hand and seal.
4th day of April 1832

(Signed) R. NELSON,
Ag. Magistrate.

1st August 1832.

Notice issued by the Magistrate of Trichinopoly to the Public.

As it appears in the order issued (to us) by the Circuit Judge dated 10th ultimo that the Foujdaree Udalut Court have decided that the order issued by Mr. Garrow the acting first Circuit Judge, on the 2nd April 1832 and published by Mr. Nelson the late acting Magistrate on the 4th of the said month, thereby cancelling the order issued by Mr. Cameron the late Collector and published by him on the 18th November 1829 that the Vadagalais should not conduct any ceremonies, such as the Vedaparayanam (Public recital of the Vedas &c.) &c. within the temple of Srirangam and that any breach thereof will entail heavy fine on the delinquents and also directing to refund the fine imposed on three Vadagalais that were guilty of violation of it (in the order of Cameron)—has been improper, all are, therefore, hereby to understand that the said order of Mr, Garrow has been repealed.

1st August 1832,
TRICHINOPOLY.

(Signed) H. M. BLAIR,
Magistrate.

16th May 1832.

ஸ்ரீரெங்கம் வகைரா தேவஸ்தானம் பேட்
பஷ்கார் வெங்கிட்டரமணய்யருக்கு என்னவென்
ால்,

ஸ்ரீரெங்கம் கோவிலைச் சேர்ந்தவர்களாகிய
103 பேர் கையெழுத்து வைத்த பிட்டிஷன் நம்
டத்தில் வந்து சேர்ந்திருக்கிறது. அதில் வடக
யார்கள் சில சடங்குகளைச்செய்யப் பிரயத்தன
படுகிறதினாலே அந்தக் கோவிலைச்சேர்ந்த பாத்
யத்தை அபகரித்துக்கொள்ளுகிறதாக கண்டிரு
கிறது. அப்படி அவர்கள் செய்கிறது கோர்ட்
ாரவர்களுடைய தீர்மானத்துக்கும் முன் கலெக்
துரையவர்களுடைய உத்தரவுகளுக்கும் வி
ரோதமாகவும் ஸ்ரீரெங்கம் ஸ்தலத்தில் நெடுநாளா
ஸ்தாபிதமாயிருக்கிற வழக்கத்தைக்கொண்டு
ஒப்புக்கொள்ளப்படாததாகவுமிருக்கிறது.

16th May 1832.

To,

Venkataramana Aiyar, Head Peishkar
Srirangam &c. Devastanam.

We have received a petition signed by 103 persons belonging to Srirangam Temple, which states that the Vadagaliars by attempting to do certain ceremonies are trying to deprive them (petitioners) of their miras rights in the Temple. Their doing so is contrary to the decision of the Court and to the orders of the late Collector and is further not sanctioned by the long standing usages of the place.

ஆகையால் இதினாலே உமக்கு கண்டிப்பாய் உத்திரவு செய்கிறதாவது: கோவிலில் நெடுநாளாய் நடந்துவருகிற வழக்கத்துக்கு விரோதமாய் எவ்வளவும் நடக்கும்படியாய் நீர் ஒருபோதும் உத்திரவு கொடுக்கக்கூடாது. அப்படிப்பட்ட வழக்கங்கள் இன்னது இன்னதென்று உமக்கு செம்மையாய்த் தெரிந்திருக்கவேணும்.

ஸ்தலத்தார் செய்கிற சடங்குகளை யாதொரு விதத்திலும் செய்ய பாத்தியமில்லாதபேர்கள் அதைச் செய்ய ஆரம்பிக்கிறதினால் யாதொரு கலகம் உண்டாகும்போது அந்த கலகங்களை நீக்குகிறதற்காக அவசரமான வழிபாடு நாம் செய்யும்படியாய் தகுமான காலம் உண்டாகத்தக்கபடி முன்னாடி அப்படிப்பட்ட கிரமத்தப்பான காரியங்களைக்குறித்து முன்னாடி அசூருக்கு அறிக்கை செய்யாமல் போனால் உம்முடைய அலுவலிலிருந்து உம்மை நிச்சயமாய் உடனே பறதாப்பு செய்யப்படும். முன்னாலே நடந்த உத்சவத்தின்போது நீர் சர்க்கார் உத்தியோகஸ்தனைப்போலே உம்முடைய அலுவலில் நீர் கவனமாயிருக்கிறதுக்குப்பதிலாய் அந்தக் கோவிலில் தகரார்படுகிற கக்ஷிக்காரர்களில் ஒருவர் பட்சமாய் நடப்பிவித்ததாக நமக்கு அபிப்பிராயப்பட்டபடியால் உம்முடைய நடத்தையைக்குறித்து நமக்கு முன்னாலேதானே வெகுசாய் ஆயாசம் தோன்றியிருக்கிறது.

இனிமேல் உம்முடைய நடத்தையைக்குறித்து நீர் வெகு சாக்கிறதையாய் நடந்துகொள்ளும்படி உமக்கு முன்னாடி கண்டிப்பாய் எச்சரிக்கைப்படுத்துகிறோம்.

போதுமான அதிகாரஸ்தர்களாலே புதிசாய் யாதொரு உத்திரவு பிறக்கிறவரையில் இந்தக்கோவில் விஷயத்தைக்குறிந்து கோர்ட்டார் என்ன தீர்மானம் பண்ணியிருககிறார்களோ அதுவும் முந்தின கலெக்டர்கள் என்ன உத்திரவு செய்திருக்கிறார்களோ அதுவும் முழு பலனாகவும் உறுதியாகவும் நடந்துவரவேணும அறியவும்.

1832௵ மேமீ 16உ.

H. M. BLAIR.
Collector.

May 1832.

ஸ்ரீரெங்கம் வகைரா தேவஸ்தானம் யேட் பேஷ்கார் வெங்கட்டரமணய்யருக்கு என்னவென்றால்

வடகலையார் இன்றையதினம் கும்பல் கூடிவந்து சர்க்கார் உத்திரவுக்கு விரோதமாய் ஆரிவிட்டான் வாசலுக்குள்ளே போன சங்கதியைக்குறித்து சாப்தா உடனே எழுதிய தேவஸ்தானம் 157 நெ. அர்ஜி வந்தது.

We therefore strictly order you as follows;—you should not in the slightest degree consent to any thing being done contrary to long standing usages. You should also have informed yourself of what those customs are.

If you do not report to Huzur about any illegal acts likely to take place in sufficient time for us to take steps to prevent any breach of the peace that might occur by others performing or attempting to perform those ceremonies which the Stallatars only have a right to perform, we will certainly remove you at once from your post.

Your conduct in the late festival has given us extreme displeasure, as it has appeared to us that instead of attending to your duties as a public servant, you joined the side of one of the contending factions in the Temple.

We hereby previously give you a strict warning that you should be very careful about your future conduct.

Whatever has been decided by C
till now and whatever orders have
issued by former Collectors about
temple affairs should be considered
full force and should be acted upon
new orders are issued by competent au
rities. You are to understand this.

16th May 1832 (Signed) H. M. BLAIR
Collec

May 1832

To

Venkataramana Aiyar, Head Pei
Srirangam &c. Devastanam.

Received your Arzi No. 157 w
list of persons sent along with it abou
matter of the Vadagaliars having thi
assembled in large numbers and con
to the orders of the Circar entered
Arivittan gate.

அது காரியத்திற்கு ஷெ சரப்தாவில கண்ட பேர்வழிகளில் துருகிர்தம் செய்த சங்கதியில் சாட்சி சொல்லத் தக்கினவர்கள் அசூருக்கு அனுப்பிவிக்கிறதுமல்லாமல் அப்பாசாமி அய்யங்காருக்கு சம்மன் அனுப்பியிருக்கிறோம். சம்மன் கொண்டு வருகிற சேவுகனுக்கு வேண்டிய ஒத்தாசை செய்து கொடுத்து ஷெயானை கட்டி அனுப்பவும்.

1832௵ மே௴

மு. திருச்சினாப்பள்ளி.

Hd. Assist. Magistrate.

26th May 1832.

No. 119

ஸ்ரீரங்கம் வகையரு தேவஸ்தானம் ஹெட் பேஷ்கார் வெங்கட்டரமணய்யருக்கு எழுதினவென்றால்

இன்றையதேதியில் நீர் எழுதிய 156வது நெ. அர்ஜி வந்தது.

அது காரியத்துக்கு நாளது மீ 16உயில் உமக்கு அனுப்பிய சன்னதில் கோர்ட்டு தீர்ப்புப்படிக்கும் ஸ்ரீரங்கம் கோவிலில் நாளது வரையில் நியமமாயிருக்கிற வழக்கப்படிக்கும் நடந்துகொள்ளச் சொல்லியும் அதுகள் உமக்கு செம்மையாய் தெரிந்திருக்கவேணுமென்றும் உத்திரவு கொடுத்திருக்கிறோம். ஷெ சன்னதினாலே தென்கலையாருக்காவது, வடகலையாருக்காவது எதாவது ஒரு புதுவிதமான அதிகாரம் கொடுபட்டிருக்கிறதாக நீர் நினைத்தால் நம்முடைய தாத்பரியத்தை அறியாதவாயிருக்கிறீர்.

யாராவது கோவிலுக்குள்ளாகவந்து இதுவரையில் நடந்துவந்த வழக்கத்துக்கு விரோதமான விதங்களாய் நடந்து அதினால் சச்சரவுகள் அல்லது கலகங்கள் உண்டாகும்படியாயிருந்தால் அப்படிப்பட்டவர்களை உமக்கு இருக்கிற விதங்களைக் கொண்டு தடை செய்து நமக்கு ரிப்போர்ட்டு செய்யவும். சமாதானத்துக்கு விரோதமில்லாமல் இருக்கவேண்டியதைக்குறித்து அகத்தியமாய்க் காணப்படுகிறபடிக்கு வேண்டிய விதம் நாம் செய்கிறோம். ஆனால் கோவிலுக்குள்ளாக வந்து சடங்குகள் நிறைவேற்றுகிறதற்கு பாத்தியமுடையவர்களை நீர் ஒருபோதும் தடைசெய்யக்கூடாது.

1832௵ மே௴ 26உ H. M. BLAIR,

திருச்சினாப்பள்ளி *Collector.*

In respect of the said affair, you are to send up to Huzur all persons likely to give evidence in the matter of the persons mentioned in the abovesaid list having acted illegally. You are further to render all the help you can to the peon who comes there with a summons to Aiyasami Aiyangar to be served on him.

May 1832 (Signed) ———

Trichinopoly *Head Assistant Magistrate.*

26th May 1832.

To No. 119.

Venkataramana Aiyar, Head Peishkar Srirangam &c. Devastanam.

Received your Arzi of to-day No. 156.

With reference to the same, we have to inform you that our Sunnad to you dated 16th Instant, only says that affairs are to be conducted in the Temple of Srirangam according to decision of Court and to long standing usages, and that you should have known what those usages are. You must be taken to have misapprehended that order if you took it to mean that it conferred any new rights either on the Vadagaliars or Tengaliars.

If anybody comes into the Temple, and by acting contrary to the long established usages and ways, tends to create a breach of the peace, you are to prevent such new acts and report the same to us. We will take such steps as we think necessary to preserve the peace. You are not however to prevent any person from performing ceremonies in the Temple if he has a right to do the same.

26th May 1832, H. M. BLAIR,

TRICHINOPOLY. *Collector.*

No. 256

ஸ்ரீரெங்கம் தேவஸ்த்தானம் வகையறா டிப்டி பேஷ்கார் சொக்கலிங்க முதலிக்கு,

என்னவென்றால் திருச்சினாப்பள்ளி ஜில்லாகோர்ட்டு நெம்பர் 130-வதில் 1808ம் ௵ ஏப்ரல் ௴ 28உயில் பிறக்கப்பட்ட ஸ்ரீரெங்கத்திலிருக்கும் தென்கலையார் பக்ஷமான தீர்ப்புக்கு நகல் இப்போது கும்பகோணம் ஜில்லா அக்டிங் ஜட்ஜி துரையவர்களாலனுப்பப்பட்டதற்கு ஒரு நகல் தயார்செய்து இத்துடன் அனுப்பியிருக்கிறோம். அந்த தீர்ப்பில் கண்டிருக்கிற நிபந்தனைகளுக்கு யாதொரு விரோதமுமில்லாமல் நடந்துகொள்ளும்படி ஸ்ரீரெங்கத்திலிருக்கும் வடகலையாருக்கு அறிவிக்கவும்.

1832ம் ௵ அக்டோபர் ௴ 21உ
மு. திருச்சினாப்பள்ளி

H. M. BLAIR,
Collector.

16*th February* 1833.

Before the Zillah Judge of Kumbakonum.

Extract from the diary of Proceedings dated 16th February 1833.

Petition No. 293, Zillah Court of Trichinopoly No. 130.

Read petition presented by Singamiengar and Varadiengar Vadagalai people residing at Srirangam, stating that a decree was passed in the said suit for things not claimed in the plaint ;that the said decree is contrary to religion and Dharmasastrums; that the said decree has remained unexecuted for 25 years ; that while so a precept has recently been issued from the Court to the Collector to execute the said decree ; that thereupon the Collector of Trichinopoly issued an order to the effect that the Vadagalai people residing within the precincts of the seven rampart walls of Srirangam should act in accordance with the said decree ; that thereupon a petition was presented to the Provincial Court setting forth the troubles caused thereby to the petitioners and others of the Vadagalai sect ; and that an order was passed thereon to execute the decree as per law ; and praying therefore that the petitioners and other Vadagalais who are no parties to the said suit may be exempted from the liability to the said decree and that they may be allowed to recite their own Vedas. The petition further sets forth among other particulars the documents which the petitioners possess and their rights.

Krishna Sastri, the Vakil for the Plaintiffs, who had presented the application for the execution of the decree, is present. After a consideration of the facts set out in this petition and on a perusal of the former proceedings in the said suit No. 130 and of the precepts issued by the Provincial Court to this Court, the Zillah Judge is of opinion, that the subject matter of this suit is not within the Jurisdiction of this Court, and therefore orders that the petitioners should present a petition to the Provincial Court praying that the execution of the decree in the suit No. 130 may be ordered to be stayed till the petitioners file a fresh suit regarding the subject matter of this suit and obtain a decree and that they (petitioners) should

further pray the Suddar Court to pass an order, after fully considering all the facts of this case. Notice had not been issued to the opposite party as per section 14 Regulation XV. of 1806 in the matter of the execution of the decree in the said suit No. 130. Hence the Court must now begin again afresh all proceedings to conduct the said decree and the Court hereby cancels all the former proceedings which took place in the absence of any notice issued to the opposite side. The Court further orders that all precepts formerly issued from the Court to the Collector of Trichinopoly be ordered to be returned, and that things may be allowed to remain in the same state in which they were before. On a further consideration of the decree in the said suit No. 130 and of the application now presented for its execution, it appears to the Court that this decree had been passed 25 years ago and that no attempt whatever appears to have been made to execute at once the decree by precept of Court. The decree in the said suit appears to differ from the plaint, and some of the Plaintiffs and Defendants in the suit appear to have died. Thus there exist three important circumstances. The Court therefore orders that notice be sent fixing three months' time to state properly any objection if it exists for the present application for the execution of the decree.

(Signed) J. F. THOMAS,
Judge.

17th June 1833.

At the Court of the Saddar Adaulat, Monday 17th June 1833

PRESENT

The Honorable William Oliver Esquire, *Chief Judge*
„ Charles May Lushington Esquire, *1st Puisne Judge.*
„ Thomas Alexander Oakes Esquire, *Ag. 2nd Puisne Judge.*
„ William Huddleston Esquire, *3rd Puisne Judge.*

Read Petition presented on the 11th March by Krishniengar and others.

(Here enter M. P. No. 51 of 1833.)

1. The prayer of the petition is that the Court will not issue orders for the emolument of the decree in O. S. No. 130 of 1808 on the file of the Zillah Court of Trichinopoly, wherein the Plaintiffs sued to recover the sum of Pagodas 416, Fanams 22, the amount of damages alleged to have been sustained by them in consequence of the performance by the Defendants of certain ceremonies, at which, they, the Plaintiffs, claimed a right to officiate and to receive for the performance thereof, certain fees.

2. The grounds upon which this application is made are, 1st that the subject of the decree is different from that of the plaint, "by which the Court understand the petitioners to mean that the points determined by the decree are different from those which it was the object of the suit to put in issue, 2nd that the decree itself is wholly contrary to Dhurmasastras, religious customs and the Regulations; 3rd

that the decree has remained unexecuted for 25 years; "4th that neither the petitioners nor their adherents were Defendants in the cause;" by which the Court suppose to mean that neither the petitioners nor the persons of whom they are representatives were parties to the suit; 5th that the decree is likely to affect many people; and 6th that that the decree has been overruled by several dicisions subsequently passed.

3. In regard to the first plea, it appears to the Court quite plain from the petitioners' own statement as well as from the recital in the decree that the rights and the privileges of the Plaintiffs were fit and necessary subjects of enquiry in the determination of the suit and that the main object of the suit was to obtain a judicial decision upon those rights and privileges. This plea, therefore, the Court consider to be altogether unfounded and it is the only one advanced, which if well founded and brought forward in a reasonable time after the passing of the decree, might perhaps have warranted the interference of the Court to declare the decree void and of no effect.

4. The second plea is one upon which the Court cannot enter without contravening the provisions of section 21 Regulation II of 1802. which was in force when the decree was passed and for more than a year afterwards.

5. In regard to the third plea, all that needs to be observed is that the non-execution of a decree does not work its nullity nor afford any ground for declaring it null.

6. Neither does the fourth plea afford any ground for annulling the decree. Whether the petitioners are bound by the decree is another question. In general, a decree is conclusive or admissible in evidence only between the parties to the suit or those deriving under them, but there are exceptions to this rule; and whenever the matter in dispute is a question of public right or *lex loci* as in the present instance, a Judgment is evidence for or against parties other than those who were actually concerned in the suit. All persons standing in the same situation are affected by such Judgment and it is evidence to support or defeat the right claimed. The Court observe that litigation would be interminable, if in cases like the present the same subject matter were left open to dispute as often as new parties may arise.

7. The Court are not clear that they correctly comprehend the scope of the fifth plea, but it seems to them that it is in effect the same as the preceding one, and is inadmissible as a ground for annulling the decree.

8. In support of the sixth plea, a reference is made to the decree of the Zillah Court in O. S. No. 5 of 1825 and to the decree of the Provincial Court in O. S. No. 64 of 1812 as well as to Regulation VII of 1817. It appears clear to the Court that the provisions of the Regulation VII of 1817 have nothing whatever to do with the matter in dispute in this case, and the decree referred to would appear to have as little effect as far as the points decided by those decrees, can be gathered from the statement contained in the petition.

9. Upon the fullest consideration, the Court are decidedly of opinion that the prayer of the petition is totally inadmissible.

17th June 1833.

23rd *July* 1833.

நெ. 231.

...ஷ்கார் சுப்பாபிள்ளைக்கு என்னவென்

...ூதிக்கொண்ட 264ம் நெம்பர் அர்ஜிவ ...அது காரியத்துக்கு உத்திரவுசெய்கிறது எ...ன்னவென்றால்.

வடகலையார்களில் யாராவது மாஜி ஜில்லாகோர்ட்டு 130ம் நெம்பர் தீர்ப்புக்கு விரோதமாய் ஸ்ரீரெங்கநாதஸ்வாமியைச்சேர்ந்த உத்சவாதிமுதலான சடங்குகளில் எதாவதுபிரவேசித்தால் அப்படிப்பட்டவர்களை நீர் உம்முடைய தேவஸ்தானம் எட் பேஷ்கார் அதிகாரத்தைக்கொண்டு தடங்கல் செய்யவும். அந்தத்தடங்கல் மீறிநடந்தால் அப்படி நடந்தவர்களுடைய பேர்கண்டு ஒரு ஜாப்தா அருருக்கு அனுப்பிவிக்கிறதுமல்லாமல் அவர்கள் நடத்தையையும் விவரமாய் அறிக்கைசெய்யவும்.

2. ஸ்ரீரங்கத்தில் வடகலையார் அவாளவாள் வீடுகளில் செய்யும் சடங்குகளில் ஷை தீர்ப்புக்கு விரோதமாய்நடந்தால் அதைக்குறித்து தென்கலையார்களாகிய ஸ்தலத்தார்களேசுதாவில்பிரஸ்தாபிசெய்துகொள்ளும்படி தென்கலையாராகிய ஸ்தலத்தாருக்கு தெரியப்படுத்தவும். அந்தக் காரியத்தில் நீர் பிரவேசிக்கவேண்டியதில்லை; அறியவும்.

1833ம் வருஷம் ஜூலை மீ 23உ
முகாம் திருச்சிநாப்பள்ளி

H. M. BLAIR.
Collector.

23rd *July* 1833.

No. 231.

To,
SUBBA PILLAI,
Head Peishkar.

Received your Arzi No. 264, and with reference to it we order as follows :—

If any of the Vadagaliars interfere in the ceremonies of the festivals of Ranganadhaswami contrary to the decree in O. S. No. 130 (of 1808.), you are to restrain them from so interfering by your authority as Head Peishkar. If they act against your orders, you should send such persons to us with a list of their names, and further report to us fully of their conduct.

2. If the Vadagaliars act contrary to the said decree in the matter of the ceremonies to be performed *in their own houses*, you should inform the Tengalai Stallatars that they should prefer complaints about it in person. You need not mix yourself in those disputes. Understand this.

TRICHINOPOLY
23rd July 1833.

H. M. B...
...lector

20*th December* 1833.

Extract from the Proceedings of the Provincial Court for the S... ...vision, ...te the 20th December 1833.

Miscellaneous Petition 94 of...

Read petition presented on the 16th instant by ... ...am... viyasa Butter and other Tengalai Brahmins of Sri... ... Plaint... the file of the late Zillah Court of Trichinopoly co... ...ng of the Zillah ... Cumbaconam having rejected their application to ... the payment of Thetchana to them by the Vadagalai Bramins as provided f... ...e decree passed in their favor in the above No. and of his advising them to in... ...overy of the same.

The petitioners submit 9 documents ...

The Court having considered the ca... ...t the order of the Zillah Judge is perfectly co... ... what the petitioners are entitled by their ... ...s who have withheld from them the perquisites ... ...ight.

20*th December* 1833.

15th March 1834.

Abstract of Petition No. 46 presented by Ramanuja Aiyangar and fou[r] Tengalai people, Plaintiffs in suit No. 130 on the file of the Zillah Cour[t] that Cooppanaiyangar a Vadagalai Brahmin refused to distribute the [...] Tengalai people which the Tengalais obtain by doing honors to Vadaga[...] the Vadagalais get the obsequious ceremonies performed by themselves, [...] insulted the Tengalais who went to perform such ceremonies and requesting that they may be punished.

Endorsed to the Petitioners.

The Magistrate has no authority whatever to direct the Vadagaliars to get their ceremonies performed in their houses by Tengalai people against their consent. If the petitioners have sustained any loss from not deriving the incomes on such occasions, they are at liberty to sue in the Civil Court.

15th March 1834, (Signed) H. M. BLAIR,
Collector.

15th April 1834.

Extract from the Proceedings of the Court of Circuit, Southern Division dated 15th April 1834.

Endorsement on petition presented by Singamiengar and 5 others on the 12th April 1834.

The Second Judge on Circuit is of opinion that the order passed by the Magistrate of Trichinopoly o[n] the petition presented to him by the petitioners, was in every respect proper.

The Magistrate does not possess the power of interfering to compel any persons to employ the petitioners in the performance of their religious ceremonies in reference to their adversaries, the Vadagalaiars, nor can the Court of Circuit confer that power on him. His authority is confined to the maintenance of the peace between the two contending parties.

If the petitio[ners] h[ave] been defrauded of fees to which they consider themselves entitled, they must pr[o]ve their right to them by action before the Civil Court.

(Signed) H. DICKINSON,
Second Judge on Circuit.

15th April 1834. *Trichinopoly.*

11th December 1835.

To

The R[egister] to the [So]uthern Provincial Court of Appeal

[Tr]ichinopoly.

1. [...] to conform to a precept of the Zillah Court of Combaco[num ...] 833 requiring me to carry into execution a

decree No. 130 of 1808, of the late Zillah Court of Trichinopoly, I have the honour to request you will submit the case for the consideration of the Judges of the Provincial Court.

2. Copy of the Proceedings of the Court of Udaulat Zillah of Combaconam which accompanied the precept abovementioned together with a copy in English and Tamil of the decree No. 130 of 1808 of the late Zillah Court of Trichinopoly are herewith forwarded.

3. The decree in question was only published by me in the Srirangam Pagoda; but the Vadagalai Brahmins who, by it, are expressly prohibited from all interference in the ceremonies of the Pagoda have, on several occasions since its publication, infringed on the rights and privileges confirmed exclusively to the Tengalai's sect and very lately they went so far as secretly to strike off the Tengalai Teroo-man from one of the gateways of the Pagoda and substituted the distinguishing mark of their own sect in lieu of it.

4. The Stallathars of the Pagoda and principal Tengalai Brahmins have loudly complained of the repeated aggression of the Vadagaliars and have earnestly begged me to maintain them in their undoubted rights and privileges by punishing their opponents for acting in opposition to the decree of the Court.

5. Now though by the decree of the Zillah Court of Trichinopoly, the Vadagaliars are made liable to punishment for acting contrary to the said decree, yet I am not aware of any Regulation by which I am authorized to inflict punishment on the parties offending against the decree where no actual breach of the peace takes place. At the same time it does seem a very hard case and bears the appearance of an anomaly in the law that after regular Judgment of a Court passed and ordered to be enforced, no means should exist of putting the said sentence of the law into execution; so that the party, in whose favour certain rights have been decreed, has to maintain those rights by force, thereby rendering themselves liable to punishment by the Magistrate or they must have recourse on every occasion of those rights being invaded to an expensive civil process for the recovery of damages. By this means the dispute between the parties may be rendered interminable as the Vadagaliars have shewn the utmost determination to set at defiance the decree passed against them and the probability therefore is that harassed by the continual encroachments of their opponents, the Tengaliars who are by far the weakest sect will be compelled to give up their undoubted exclusive rights and privileges in the Srirangam Pagoda.

6. As the case stands at present, it is, I am well assured a most fruitful source of intrigue and corruption among the public servants and influential natives in the place, besides being liable to occasion the most disgraceful disturbances at every festival of the Srirangam Pagoda.

7. I will only further remark on the case that if I possess no authority to act unless an actual breach of the peace takes place which may be committed by either party, it must be evident that the precept directing me to carry into execution the decree in question is a mere dead letter and in that case it may be my duty to make return to the Zillah Court of Combaconam stating my inability to conform to the instructions contained in the decree.

TRICHINOPOLY,
COLLECTOR'S CUTCHERRY
11th December 1835.

I have &c.
(Signed) H. M. BLAIR,
Collector.

14th December 1835.

Extract from the Proceedings held before the Southern Provincial Court of Appeal on Monday the 14th December 1835.

PRESENT.

Henry Dickinson Esq. *Acting First Judge.*
G. M. Ogilve Esq. ,, *Second Judge.*

Read letter under date the 11th Instant, received from the Collector of Trichinopoly stating that he had received a precept from the Zillah Court of Cumbakonam requiring him to carry into execution the Decree passed in No. 130 of 1808 on the file of the late Zillah Court of Trichinopoly; but that notwithstanding that he has caused the Decree to be published, he has met with so much opposition in carrying it into effect, that he anticipates being compelled to make return to the Zillah Court, that he is unable to execute it. He therefore solicits instructions of this Court for his guidance.

By the Decree in question, a copy of which accompanied the foregoing letter, the Court discover that the sect of Brahmins called Tengaliars of Srirangam prosecuted those of the sect called Vadagaliars in order to establish their right to the performance of certain ceremonies within the Sapthaprakaram of the Srirangamthaswami Pagoda, in Srirangam, of which they had been deprived by the Defendants and the decree after commenting on the evidence which had been offered in support of the Plaintiff's claim finally declares "It is therefore decreed, conformably to section 10 Regulation II. of 1802, that the Tengaliars be confirmed in their superiority over the Vadagaliars of Sriranganadaswami Kovil in the Sapthaprakaram on the island of Srirangam, and that they be the Dictators in all the ceremonies to be performed to the Swamis therein."

The Collector sets forth that "The Vadagalai Brahmins who by it (the decree) are expressly prohibited from all interference in the ceremonies of the Pagoda, have on several occasions since its publication infringed on the rights and privileges confirmed exclusively to the Tengaliar's sect and he adds that very lately they went so far as secretly to strike off the Tengalai Tiruman, from one of the gateways of the pagoda, and substituting the distinguishing mark of their own sect in lieu of it."

The Collector goes on to say "I am not aware of any Regulation by which I am authorized to inflict punishment on the parties offending against the Decree when no actual breach of the peace takes place; but it does seem a hard case; and bears the appearance of an anomaly in the law, that after regular Judgment of a Court passed and orderd to be enforced, no means should exist of putting the said sentence of the law into execution; so that the party in whose favour certain rights have been decreed are obliged to maintain those rights by force, thereby rendering themselves liable to punishment by the Magistrate or they must have recourse on every occasion of those rights being invaded, to an expensive civil process for the recovery of damages. By this means, the Magistrate concludes, "the disputes between the parties may be rendered interminable, as the Vadagaliars have shown the utmost determination to set at defiance the Decree passed against them; and the probability therefore is, that harassed by the continual encroachments of their

opponents, the Tengaliars who are by far the weakest sect will be compelled to give up their undoubted exclusive rights and privileges in the Srirangam Pagoda."

With regard to the decree in question, the Court have to remark that standing as it does unaffected by any subsequent decision of a superior Court in appeal, it is final, and cannot hereafter, by any authority whatever, be altered.

By the decree, the Tengaliars are declared to be entitled to certain rights, to the exclusion of the Vadagaliars. In the free and peaceable enjoyment of these privileges, the Tengaliars must be supported and protected and any sect who may dare to interfere with them, must be taught that no one can set himself up against the law with impunity.

The Collector having carried the decree of the Court into execution so far as the publishing of it in the Pagoda, and the directing that attention should be paid to it by the Public servants of the establishment are concerned, can, as the Court apprehend, have no difficulty in maintaining the order thus established by it inviolate.

The Collector acknowledges that nothing can be more likely to lead to a breach of the peace than the determined opposition which is offered to the decree by the party against whom it is passed but it would appear from his arguments that he supposes that it is required by the Regulations that he should wait until a breach of the peace shall have been actually committed before he can interfere as Magistrate to maintain order.

In correction of the error into which the Collector has fallen the Court would direct his attention to the commencement of clause first, section 5, Regulation VI of 1827, by which he will find that as Magistrate, he is empowered whenever he may consider the peace of the community to be endangered, to require both personal recognizances and security for keeping the peace to be entered into and in the event of his requisition not being complied with, to commit the persons, from whom they are demanded, to jail.

The Court cannot doubt but that a wholesome exercise of this power against all persons who set themselves up in opposition to the decree will soon reduce them to submission. In the event however of any violence being actually used, it will be the duty of the Magistrate to forward the parties to the Criminal Judge who will either punish them himself or commit them for trial before the Court of Circuit from whom they will doubtless on conviction receive such a lesson as will for the future effectually prevent them and others from setting themselves up against legal authority.

Ordered that extract from these Proceedings be forwarded to the Collector of Trichinopoly for his information and guidance.

(Signed) G. M. OGILVE,
Ag. 2nd Judge for Registrar.

(True Copy)

(Signed) JOHN HARRIS,
Civil Judge.

30th *June* 1840. No. 122

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் ஹெட் பேஷ்கார் வைத்திலிங்க முதலியாருக்கு என்னவென்றால்.

ஸ்ரீரெங்கம் தேவஸ்தானத்தில் அத்தியாபகர்களாகிய தென்கலையாருக்கும் வடகலையாருக்கும் இருந்த தகாராவைக்குறித்து 1808௵ இத்திய எப்பிரல்௴ 28௳யில் பிறந்த தீர்ப்புக்கு விரோதமாய் இப்போ வடகலையார் நடந்து இருக்கிறதாக ஷெ தேவஸ்தானம் அத்தியாபகர்களாகிய தென்கலையார் அசூரில் கொடுத்த பிட்டிஷனையும் அதில் அடக்கமாயிருக்கிற தஸ்தாவேஜியும் இத்துடனே அனுப்பியிருக்கிறது. அதைப் பார்த்துக்கொண்டு தீர்ப்புக்கும் முன் உத்திரவுகளுக்கும் விரோதமாய் இப்போ வடகலையார் நடந்திருக்கிறதைக் குறித்து செம்மையாய் விசாரித்து உடனே ரிபோர்ட்டு செய்கிறதுமன்னியில் முன் உத்திரவுபடி வடகலையார் நடக்கும்படியாய் பந்தோபஸ்து செய்யவும் அறியவும்.

1840௵ ஜூன்௴ 30௳ மு. திருச்சிறைப்பள்ளி — A. P. ONSLOW, collector.

11*th July* 1840.

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் ஹெட் பேஷ்கார் வைத்திலிங்க முதலியாருக்கு என்னவென்றால்,

ஸ்ரீரெங்கம் தேவஸ்தானத்தில் தென்கலையாருக்கும் வடகலையாருக்கும் இருக்கிற தகரார் சங்கதியில் முன் உத்திரவுகளுக்கு விரோதமாய் நடவாமலிருக்கும்படி பந்தோபஸ்து செய்யும்படி 122-வது நெ. உத்திரவு அனுப்பியிருக்கிறதல்லவா?

அந்தப்படி மாமூலுக்கு விரோதமாய் நடவாமலிருக்கும்படி பந்தோபஸ்து செய்யவேண்டியது ஒன்றே தவிர நீர் வேறே யாதொரு விதத்திலும் ஷெயார்களுடைய காரியத்தில் பிரவேசிக்கக்கூடாது. அறியவும்.

1840௵ ஜூலை௴ 11௳ மு. திருச்சினாப்பள்ளி. — A. P. ONSLOW, Collector.

30*th June* 1840.

No. 122.

To

VYTHILINGA MOODALIAR,
Head Peishkar,
Srirangam &c., Devastanum.

The Petition presented to the Hoozoor by the Thengaliars, the Uthiabacals of the Srirangam Devastanum stating that the Vadagaliars have now acted against the provisions of the Decree passed in April 28th 1808 with reference to the disputes between the said Thengaliars the Uthiabacals of the Srirangam Devastanum and the Vadagaliars and its enclosures the Documents filed by the said Uthiabacals, are herewith sent to you. You must see them and enquire the acts of the Vadagaliars against the Decree and the former orders and report them immediately. And besides you must take measures that the Vadagaliars should act in accordance with former orders Understand this.

30th June 1840 Trichinopoly. | A. P. ONSLOW, *Collector.*

11*th July* 1840.

To

VYTHILINGA MUDALIAR,
Head Peishkar,
Srirangam &c., Devastanum.

We have already issued order No. 122 to you to see that nothing is done contrary to the orders previously passed in the matter of disputes between the Vadagaliars and Tengaliars in Srirangam Devastanum. and to take proper measures for the same.

Your only duty is to see that no such new things take place contrary to Mamool, and you are not in any way to interfere in their affairs.

11th July 1840 Trichinopoly. | A. P. ONSLOW, *Collector.*

24

21st July 1840.

Extract from the Sunnud diary forwarded from the Huzur to the Head Peishkar of Srirangam Pagoda in 1840.

No. 138.

Both the Adyapakals Tengalais, and Vadagalais, should go to the Civil Court with regard to the infringement of the terms of the Decree. They must further be cautioned that they would be prosecuted criminally if they attempt to commit any breaches of the peace.

Trichinopoly, 21st *July* 1840. (Signed) A. P. ONSLOW, *Collector*.

3rd August 1840.

ஸ்ரீரெங்கம் தேவஸ்தானம் யேடு பேஷ்கார் வைத்திலிங்கம் முதலியாருக்கு எள்ளவென்றால்,

ஷை தேவஸ்தானம் அத்தியாபகாளாகிய தெங்கலையார் தங்களுடைய பிருச்க்காக 1808௵த்தில் பிறந்த 130வது நெ. ன் தீர்ப்புக்கு விரோதமாய் வடகலையார் நடக்கிறதைக் குறித்து அசூரில் கொடுத்த இங்கிலீஷ் பிட்டிஷன்பேரில் கோர்ட்டு தீர்ப்புக்கு விரோதமாய் யாராவது பலாத்காரமாய் நடந்தாலும் அல்லது நடக்க எத்தனப்பட்டாலும் போலீசு ஆபீசர்களிடத்தில் சொல்லிக்கொண்டால் விசாரணை செய்து ஜாமீனாவது வாங்கப்படும். தெண்டனையாவது செய்யப்படும் என்று இண்டார்சு செய்து இத்துடனே அனுப்பியிருக்கிறோம். அதை அவர்களிடத்தில் உடனே கொடுத்து ரசீது வாங்கிக்கொள்ளவும்.

1840௵ ஆகஸ்டுமீ 3உ முகாம் திருச்சிராப்பள்ளி. A. P. ONSLOW, *Collector*.

No. 335 *8th December* 1840.

ஸ்ரீரெங்கம் வகையறு பெட் பேஷ்கார் வைத்திலிங்க முதலியாருக்கு.

ஸ்ரீரெங்கம் பிராகாரத்துக்கு வெளியே தெசாவதார் கோவில் திருமங்கத்தாழ்வார் திரு நட்சத்திரத்திற்கு அலங்காரம் அனுப்ப யெத்தினப்பட்டதில் அலங்காரம் போன உடனே தீர்த்தம் வகையறு சடகோபம் மரியாதை தெங்கலை அத்தியாபகாள் செய்துகொள்ளுகிறதென்றும் நாளது௵ ஷை கோவில் அகோபல சுவாமியார் சுவாதீனப்பட்ட பின்பு அவாள் மனுஷாள் கோவிலில் பரிசாரகம் செய்து

3rd August 1840.

To

VYTHILINGA MUDALIAR,
Head Peishkar,
Srirangam &c., Devastanum.

With reference to the English petition presented to the Huzur by the Tengaliars, the Adyapakals of the said Devastanum complaining of the conduct of the Vadagaliars in acting contrary to the decree in O.S. No. 130 of 1808, and thus infringing the rights thereby conferred on them, we have endorsed that if any one acts forcibly in contravention of the terms of the said decree or attempts to do any such act, then on a complaint to the Police and investigation by them, security will be taken from them or they would be subjected to punishment. We have herewith forwarded the said petition and endorsement on it. You should give it over to them and take a receipt from them for it.

3rd August 1840 Trichinopoly | A. P. ONSLOW, *Collector*.

8th December 1840.

No. 335.

To

VYTHILINGA MUDALIAR,
Head Peishkar,
of Srirangam and other temples.

Read your urzi No. 560 stating among other matters that when you were preparing

வருகிற வடகலையார் சடகோபம் சாத்துவதில் தெங்கலை வடகலையாருக்குச் சச்சரவு நேரிடும்படியாயிருக்கிறதென்றும் யின்னும் சில விபரம் கண்டு நீர் யெழுதிய 560 வது நெ. அர்ஜி வந்தது.

ஷை சங்கதியைக் குறித்து மாமூல்படிக்கி நடக்கவேணுமெ யன்னியில் கும்பல கூடி சச்சரவு செய்ய யெத்தனப்படக் கூடாதென்றும் அப்படிக்கி நடந்தால் மேஜிஸ்திரேட்டு தரப்பில் பாரி தண்டனை கிடைக்குமென்று ஷை யார்களுக்குக் கண்டிப்பாய் தாக்கீது செய்கிறதும் தவிர ஷை அலங்காரம் சங்கதியில் நடக்கப்பட்ட மரியாதையை மாமூல் பிரகாரமும் புகாரன்னியில் நடப்பிவிக்கவும் அப்படிக்கி உத்திரவுக்கு விரோதமாய் யாராவது கும்பல் கூடி தொந்திரவு செய்தால் உடனே அவாளை அசூருக்கு அனுப்பவும்.

1840ளு டிசம்பர்மீ 8வ திருச்சிறாப்பள்ளி. | A. P. ONSLOW, *Collector.*

to send Alankaram for the birthstarday of Thirumangay Alwar in Thesavathar Temple outside the Prakaram of Sreerangam, it being the custom that the Tengalai Adhyapakals should, as soon as the Alankaram is sent, perform among themselves the honours of Theertham &c. and Shadagopam, there is a likelihood of a quarrel taking place between the Vadagalais and the Tengalais, in the Vadagalais who are now performing the duties of Paricharaka in the said temple after its coming into the possession of Aghobala Swamiar this year doing the said duty of giving Shadagopam.

You are hereby ordered to inform them strictly that in the matter of the abovesaid honours, nothing should be done contrary to Mamool (long usage) that they should not assemble together and create disturbance, and that if they should do so they would be liable to great punishment before a Magistrate. You are further directed to conduct the said honours in respect of this said Alankaram according to usage and without any room for complaint and to send up to Huzur anybody who might attempt to cause disturbance by (unlawfully) assembling together.

8th December 1840 | Trichinopoly. | A. P. ONSLOW, *Collector.*

18*th January* 1841.

Extract from the Proceedings of the Foujdaree Udalut under date the 18th January 1841.

Read M. P. presented on the 8th ultimo with nine enclosures by Singam Iyengar one of the Tengalai Brahmins. Plaintiffs, in O. No. 130 on the file of the Zillah Court of Trichinophly.

(Here enter M. P. No. 149 of 1840)

Also read counter-petition to the above presented by Kusturi Renga Iyen

(Here enter M. P. No. 155 of 1840)

The petitioner states that in consequence of certain late acts of inter and interruptions on the part of the Vadagalais in the rights and privileges c ed exclusively in favour of the Tengalai sect by decree in O. S. No 130 Zillah Court of Trichinopoly, under date the 28th April 1808, he presented p to the Magistrate praying that punishment might be awarded to those who p ed himself (the petitioner) and others of the Tengalai sect from performi monies which they were entitled to perform under the abovementioned dec

that the Magistrate contrary to the said decree punished him and 2 others by demanding from himself (petitioner) security for Rs. 500 and from the other two security for Rs. 200 each and further by requiring them to pay a fine of Rs. 15 each.

2. Being dissatisfied with this proceeding of the Magistrate they preferred a complaint before the Court of Circuit who however refused to interfere, as they considered the subject of dispute to be purely of a Civil nature and one therefore which could not satisfactorily be inquired into and decided by the Collector.

3. The petitioner therefore prays that the Court of Foujdaree Udalut will be pleased to issue orders directing the Provincial Court of Circuit to desire the Magistrate of Trichinopoly to remit the fine and cancel the security required from him and others and further to punish those who may act in opposition to the decree above alluded to in favour of the Tengalai Brahmins.

4. The Court of Foujdaree Udalut are of opinion that the Court of Circuit were wrong in declining to listen to the appeal made to them by the petitioner an appeal having been made to the Court of Circuit. It was their province to call for the proceedings of the Magistrate and decide whether his order was correct or not. The Court of Foujdaree Udalut accordingly direct that they will now adopt that course

5. With reference to the allegation preferred against the Vadagaliars that they have failed to conform to the decree standing in favour of the Petitioner's party the Judges of the Foujdaree Udalut desire that the petitioner be informed that if he or the other Tengalais should consider their just rights to have been in any way infringed by their adversaries, they are at liberty to institute Civil suits for the recovery of any emoluments or rights of which they may consider themselves to have been deprived.

Ordered that Extract from these proceedings be sent to the Provincial Court of Circuit in the Southern Division for their information and guidance.

18th January 1841.

13th April 1842.

Extract from the Proceedings of the Southern Provincial Court under date 13th April 1842.

M. P. No. 18 *of* 1842.

Read motion presented on the 19th February 1842 by Vadaviyasa Bhuttur, *alias* Runganatha Bhuttur, Vadoola Dasika Rungachariar, Parasara Bhuttur *alias* Sreevuthsa Chinna Bhuttur and Uttamanamby, heirs of 2nd, 3rd, 4th and 5th Plaintiffs in O. S. No 130 of 1808 in the file of the late Zillah Court of Trichinopoly.

The Petitioners briefly advert to former proceedings in the case and complain that the Assistant Judge of Trichinopoly has refused to interfere in their behalf by issuing orders to the Collector and Magistrate to require the Vadagaliars to conform to the decree passed in the said No. 130 of 1808 awarding to the Tengaliars certain extensive privileges in the pagoda of Sreerangam. They pray the Court therefore to look into the case and to direct the Assistant Judge to issue the order prayed for.

Read also counter-motion presented on the 3rd March 1842 by Desika Iyengar heir of Ramanooja Iyengar one of the defendants in the said O.S. No. 130 of 1808.

The Court having attentively pursued and considered all that has been urged by the petitioners in this motion in support of the object they have in view as well as what has been advanced in opposition to it by the other party in their motion of the 3rd ultimo and having also considered well all the documents produced by both parties are of opinion that the order passed by Assistant Judge was correct and they refuse to disturb it. The Lower Courts and this Court also both individually and collectively have on former applications by the petitioners of the same nature as the present refused to interfere on their behalf in the manner and to the extent solicited. The Court observe that the Tengaliars are entitled under the decree in question which has been declared final and irrivocable by the highest individual authority to enjoy certain exclusive rights and privileges and that the same ought to be secured as far as may be practicable, but that to enforce a right claimed under the said decree by the Tengalaiars to perform ceremonies in the houses of the Vadagaliars would be manifestly an act of gross opprsesion and that no order having for its object to insist upon the Vadagalai in submitting to have their houses so invaded against their will can be passed.

The Tengaliars are a liberty as they have been before repeatedly told to bring Civil actions for any fees or emoluments of which they may consider themselves to have been deprived by the opposite party through the refusal of the latter to admit them for such purposes into their houses and this is the only mode of proceeding whereby the amount of their claims on that account can be ascertained and settled; but if the Vadagaliars are unwilling to allow the Tengaliars to perform ceremonies in their houses they cannot be forced to do it.

13*th April* 1842.

22*nd August* 1842.

Extract from the proceedings of the Suddar Adalut Court under date the 22nd August 1842.

Read M. P. Presented on the 25th July 1842 by Singamaiyangar and others of Trichinopoly.

(Here enter M. P. No. 218 of 1842)

Petitioners state that they are of Tengalai sect and by prescription not less than by Civil ordinance the persons to perform all rites and ceremonies within the walls and compounds of the Srirangam Pagoda; that in contravention of these practices certain Vadagaliars attempted to usurp these their rights and privileges; in consequence of which the predecessors of the petitioners instituted suit 130 of 1808 in the Zilla Court of Trichinopoly, when that Court confirmed the claims of the petitioner's predecessors to the aforementioned privileges; and as there was no appeal the original decree became final. That subsequently the decree was recognized by the Magistrates and in 1828 one of the Provincial Judges caused it to be strictly conformed to, and in 1830 the provisions of the decree were acted up to by an order of Mr. Cameron the then Collector; the propriety of the above decree was never doubt-

ed until Mr Garrow started objections which however, were overruled by this Court; the Vadagaliars memorialised this Court in 1833 when the original decree received a further confirmation and the orders then passed were subsequently declared final Nevertheless the present Collector Mr. Onslow and the Provincial Court have acted contrary to the spirit of the decree and allowed the petitioner's enemies to encroach on their privileges. The petitioners therefore pray that the above injurious orders of the Magistrate and Provincial Court may be overruled &c.

The Court of Suddar Adalut are of opinion that the orders of the Provincial Court and Assistant Judge are perfectly correct.

It is not possible that the Magistrate should issue, orders compelling Brahmins of the Vadagalai sect to admit those of the Tengaliar's order into their houses for the performance of religious ceremonies; but if the petitioners should be of opinion that any privileges to which they are entitled have been infringed by their adversaries, the Court is open to them in which they may seek compensation by civil process. Petition dismissed. Ordered that the above be communicated to the petitioners and that extract from these proceedings be furnished to them on their application.

22nd August 1842. R. G. GHARLIC,

Head Assistant to the Registrar.

10*th July* 1843.

Extract from the Proceedings of the Foujdari Adalut under date the 10th July 1843.

Read M. P presented on the 12th ultimo by Renga Chariar of Trichinopoly.

(*Here enter M. P. No.* 41 *of* 1843)

The petition states that the right of performing various ceremonies within the Pagoda of Srirangam was conferred *exclusively* in favour of Tengalai Brahmins by decree in O. S. No. 130 of 1808 and 82 of 1825 on the file of the late Zillah Court of Trichinopoly and that of Kumbakonum respectively, and that in opposition to those decrees certain Vadagaliars performed the said rites within the Pagoda mentioned.

The petitioner concludes by praying this Court to issue directions to the Magistrate of Trichinopoly to take cognizance of the case and adopt such measures as may be necessary to prevent a future invasion of their rights.

With reference to the above address the Court of Foujdari Adalut are of opinion that no grounds exist to justify their interference in the manner solicited. If the matter be duly represented to the Magistrate and sufficient cause be shewn they have no right, the necessary step will be taken by that officer, whose duty it is to prevent any riotous concourse of persons or assemblage of persons disposed to act in defiance of law, the rights of others or established customs. Ordered accordingly that this petition be dismissed and that copy of these proceedings be granted to the petitioner on application.

(Signed) ————————

Ag. Senior Deputy Registrar.

29th November 1843.

Extract from the Proceedings of the Zillah Court of Trichinopoly dated 29th November 1843.

Present.—G S. GREENWAY ESQUIRE, *Ag. Zillah Judge.*

M. P. No. 145 *of* 1843.

Read petition presented by Ranga Chari on the 27th Instant stating that he belongs to the sect of Tengalais and is one of those who possess the right of performing all the ceremonies in the Srirangam Pagoda, that persons of the opposite sect called Vadagalais attempt to usurp possession of the above right and to create disturbances in opposition to decrees and orders of the Courts of Judicature that a complaint against this proceeding was made to the Magistrate of Trichinopoly who declined interference in the matter. He therefore prays that the Court will be pleased to look into the documents he has produced and to direct the Magistrate to punish the said individuals.

Order of the Court.—The petitioner is at liberty to institute a suit against any individual who may have injured him.

(Signed) G. S. GREENWAY,
Ag. Zillah Judge.

6th April 1846.

Extract from the Proceedingt of the Foujdaree Udalut under date the 6th April 1846.

Read return under date the 21st February 1846, from the Magistrate of Trichinopoly to the precept of the Foujdaree Udaulut dated the 9th idem forwarding to that office translations of M. Ps. presented on the 10th and 17th November 1845, by Rangachari of Zillah Trichinopoly and directing him to issue such orders as might seem proper, to prevent disturbances between the two sects there inreferred to.

(Here enter F. U. No. 689 of 1846.)

Read also M. P. presented on the 11th ultimo by Rangachari of Zillah Trichinopoly.

(Here enter F- M, P. No. 59 of 1846.)

The Magistrate states in his return that "the misunderstanding between the two sects referred to demand this constant vigilence to prevent a breach of the peace" and that "in conformity with the orders of the court he has reiterated his injunction to the parties to avoid a breach of the peace".

2. The court of F. U. fully approve of the Magistrate's proceedings and they see no reason for their interference in the matter of this petition in which the petitioner merely reiterates the contents of his former addresses not specifying any particular act of grievance as having been committed by any individual in particular.

3. Petition is dismissed. Ordered that extracts from these proceedings be sent to the Magistrate of Trichinopoly for his information.

Ordered also that extract from these proceedings be furnished to the petitioner on his application.

(Tru extract)

6th April 1846.

9th September 1846.

Extract from the proceedings of the Civil Court of Trichinopoly under date the 9th September 1846.

Present.—W. Harington Esquire, Zillah Judge.

Miscellaneous petition No. 223 of 1846.

Read petition presented on the 2nd July 1846, by Rengachari, stating that the decree of the late Zillah Court in O S No. 130 of 1808, invested the Tengalai Brahmins with the privilege of reciting the Vedum and performing other ceremonies in Srirangam and declared that the Vadagaliar Brahmins had no right to the privilege and in the decree passed in the suit instituted in the Zillah Court of Comboconum in O. S. No. 82 of 1825, by a Vadagalaiar Brahmin named Coorathalwar Iyengar laying claim to this privilege the claim was thrown out; that on a reference made on the 11th December 1835 by the Collector to the late Provincial Court, that Court on the 14th of the same month pronounced the above decree final, that the Collector 7 times declared that the Vadagaliar Brahmins had no right to the above privilege, that Vadagaliars have been often fined and punished by the Magistrate for acting in opposition to the decree, that on a petition presented by him to the Foujdaree Udalut that Court forwarded a precept to the Collector who in his return stated that it was not his duty but that of the Court who passed the decree to enforce its execution. The petitioner files the documents above referred to, and requests that the Civil Court will issue a precept to the Collector directing him to cause the decree to be executed, and to prevent the Vadagaliars from usurping the right of reciting Vedam &c.

ORDER OF THE COURT.

The Court having taken this petition and petitions Nos. 314 and 315 of 1846 as well as all the papers accompanying them into consideration does not feel itself called on to interfere. The Court by which the decree in No. 130 of 1808 was passed (or that at the time existing in lieu thereof) in 1833 called on the Collector of Trichinopoly to carry it into execution, and he issued the necessary orders to the Head Devastanem Peishkar and the Court of Foujdaree Udalut have repeatedly 18th January 1841, 12th February 1844, 14th April 1845, and the Suddur Udalut 22nd August 1842, referred the Tengalais to Civil suits founded on the decree in No. 130 of 1808 if their rights are infringed by the Vadagaliars, the duty of the Magistracy being expressly confined to the measures necessary to preserve the peace and punish any breach of it in consequence of any bad feeling arising out of the decree in No. 130 of 1808 and subsequent confirmatory proceedings and to this mode of procedure the Tengaliars are now referred and the Vadagaliars warned against any interference with the undoubted rights of the Tengaliars. At the same time the Court resolves to request the particular attention of the Magistrate to paras 8, 9 and 10 of the Proceedings of the late Provincial Court of 14th December 1835, copy of which accompanies with a view to taking such measures as are therein pointed out as soon as in his opinion the public peace is endangered by any overt act of the Vadagaliars.

Ordered further that this order be communicated to the petitioners in this and in Nos. 314 and 315 of 1846 for their information.

(Signed) W. HARINGTON,
Zillah Judge.

21*st June* 1849.

Extract from the Sunnad diary No. 475.

To

BHUJANGA RAO,
Tahsildar of Lalgudi.

You are hereby required to inform the petitioners that on the petitions presented by Tengalayars to the Honorable Court of Directors purporting that Vadagalais have unlawfully interfered with the rights and privileges specially conferred on them (the petitioners) in the pagoda, they are ordered by the Honorable Court of Directors in their letter dated 29th November 1848 that the Honorable Court of Directors would not meddle in the matter, and that it is open for the petitioners to bring an action in the Civil Court if they have sustained any damage.

(Signed) E. MALTBY,
Collector.

21*st June* 1849.

19*th January* 1850.

தேவஸ்தானம் தற்மகர்த்தர்கள்பேருல் அனுப்பப்பட்ட 1850 ௵த்திய சன்னது பதிவு டைரியிலிருந்து எடுத்தெழுதிய எக்ஸ்திராக்ட்டு.

ஸ்ரீரெங்கம் தே. தற்மகர்த்தா மகா-ள-ள-ஸ்ரீ ரெங்கசாமி அய்யங்கார், வெகுருநாதபிள்ளை

இவர்களுக்கு.

ஜெனவரி-மீ ௧௯-உ

நீங்கள் ஷை தேவஸ்தானத்தின் சாத்தானிகளுடைய கல்லலினாலே சுவாமிகாரியம் குந்தகப்பட்டிருக்கிறதாக சில விவரங்கண்டு நாளது மீ 12, 13, 14, இந்தத் தேதிகளில் எழுதிய அர்ஜி முதலானது கனுவணிஆகி ஆலோசிக்கப்பட்டது. ஷை தேவஸ்தானத்தில் மாமூல்படிக்கி கோவில் காரியங்களை நடப்பிவிக்கவேண்டியதற்கு யிருக்கிற மிருசுவேலைக்காரர்களைக்கொண்டு அவர்களுக்கு திட்டப்படி சம்பளம் கொடுத்து மாமூல்ப்படி நடப்பிவிக்கவேண்டியதற்காக உங்களை தற்மகர்த்தாவாக நேமித்து ஷைதேவஸ்தானத்தை உங்கள்வசம் விடப்பட்டிருக்கிறது. அப்படியிருக்க அதற்கு விரோதமாய் ஷை தேவஸ்தானத்தின் மிருசு ஊழியக்காரர்களை தள்ளுபடி செய்கிறதுக்கும் அவர்களுக்கு மாமூல்ப்படி மரியாதைகள் நடப்பிவிக்காமலும் வருமானங்களைக் கொடாமலும் மாமூலுக்கு விரோதமான காரியங்கள் நடப்பிவிக்கிறதற்கு உங்களுக்கு மொக்த்தியார் இல்லை. மேலும் ஷை தேவஸ்தானத்தில் மாமூலாய் தென்கலையார் செய்துவரப்பட்ட ஊழியங்களை அவர்களைப் பார்க்கவொட்டாமல் வடகலையார் முதலானவர்களைக்கொண்டு நடப்பிவித்தால் அது முன்கோர்ட்டு தீர்ப்புக்கு விரோதமான காரியமாகையால் கோர்ட்டு தீர்ப்புக்கு விரோதமான காரியங்கள் நடப்பிவித்த சங்கதியில் மேஜஸதிரெட்டு தறப்பில் விசாரிக்கவேணுமென்று கோர்ட்டு பிரசப்பட்டும் இருக்கிறபடியினாலே ஷை தேவஸதானத்தின் தென்கலை சாத்தானிகளை சங்கராந்திரி உட்சவத்தில அவர்களுடைய ஊழியத்தை நீங்கள் பார்க்கவொட்டாமல் தடங்கல்படுத்தி மாமூல்ப்படிக்கி மரியாதை நடப்பிவையாததினாலே அந்த ஊர் ஜனங்களெல்லாம காபருவாகும்படியாய் நேரிட்டதைக்கு

வித்து மேஜஸ்திரெட்டு தரப்பில் விசாரணை செய்யவேண்டியது அவசியமாயிருக்கிறது. ஆகையால் அந்த சங்கதி விசாரணைக்காக மேஜஸ்திரெட்டு தரப்பில் அலாய்தாய் சம்மன் அனுப்பிவிக்கப்படும். இந்த தேவஸ்தானம் ஷெ சங்கதியில் மாமூல்ப்படிக்கி நடப்பிவிக்கவேணுமென்று சில விவரங்களாய் கானது ஸ்ரீ 13 உ யில் ரெங்கசாமி அய்யங்காரகிய உம்பிட பேருல் உத்திரவு அனுப்பப்பட்டிருந்தது. அந்தப்படி நடவாததினாலே இவ்வித கலகத்துக்கு ஏதுவானதால் மேல்கண்டபடி விசாரிக்கவேண்டிய அவசரம் நேரிட்டது.

1850ளு ஜனவரிஸ்ரீ 19உ திருச்சிறப்பள்ளி.

இதுபர்த்தெழுதினவைடரியில் அதிகாரஸ்தர்கள் கையெழுத்து இல்லாததால் யிதில் போடவில்லை.

(Signed)——————

(True Copy)

Dy. Collector.

19th January 1850.

To

THE SECRETARY TO THE BOARD OF REVENUE,

Fort Saint George.

SIR,

In reference to my letter of the 10th Instant reporting on the management of the Sreerungam pagodas, I have the honor again to address on the subject, for the purpose of representing that the animosities and quarrel to which I before alluded, have reached a height which daily threatens disturbances of the peace and renders it necessary that as early a decision as is practicable should be given regarding the parties to whom the superintendence of the pagodas is to be hereafter entrusted.

2. Of the two new trustees appointed by Mr. Onslow, Rungasami Iyengar has taken the leading part, with the concurrence and support of the other who belongs to neither of the rival parties in managing the affairs of the institution. Rungasami Iyengar is connected with the Vadagaliars, but a temporary alienation from his own party in consequence, I understand, of some family dispute prevented his being unacceptable to the Tengaliar Stalattars by whom he was recommended to the Collector for the appointment.

3. Dissentions however soon arose between him and the Stallatars in office as Ex-officio trustees in consequence of contention for the chief authority. Rungasami Iyengar has insisted on having the principal rule for which the Stalattar has also contended representing that the fact of the other trustees having been nominated by the Stalattars showed that they were merely meant to be his assistants and subordinates

4. It would seem that since these disputes separated Rungasami Iyengar from the Tengaliars he has sought to obtain the favor and support of the Vadagaliars. party & for this purpose has been guilty of several unjustifiable and improper acts' Besides changing many of the Pagoda servants and usages he removed the Tengaliars' sign which he had previously allowed to be placed over the principal Gateway and caused much risk of serious disturbance during the Pongal feast. On this occasion the festival was interrupted and the procession with the idol detained for a day on the public road because some of the Tengaliars were prevented taking their customary parts in the ceremonies. The anger and exitement which was thus created in a large crowd composed not only of the 2 rival sects but of general worshippers made it difficult to maintain the public peace.

5. Although it has been my endeavour to interfere as little as possible in the Pagoda affairs I find it necessary to take Magisterial notice of the late occurrences alluded to above, It appears however to me that public peace and order cannot be relied on while the Pagoda continues under its present management and I therefore request the early orders of the Board on my late communication.

19th January 1850. (Signed) E. MALTBY,
Collector.

24th January 1850.

Extract from the Register of Cases decided by the Magistrate of Trichinopoly in 1850.

COLUMN. I.—*Number of the case.* 1.

„ II.—*Prosecutor.*—Circar.

„ III.—*Names of the defendants or prisoners.*
1 Rengasami Iyengar.
2 Sivagurunatha Pillai.
3 Vadavysa Bhutter.
4 Krishna, Chief of the Sathanies

„ IV.—*Charge.*—The parties were summoned before the Magistracy for inquiry into the causes of disputes in which they were concerned at Srirangam during the Sankaranthi festival, by which the feast was interrupted and the public peace seriously endangered.

„ V.—*Date of Charge.*—14th January 1850.

„ VI.—*Date of apprehension.*—21st and 23rd January 1850.

„ VII.—*Date of sentence.*—24th January 1850.

„ VIII.—*Names of witnesses.*—Kristnien, village Munsif of Srirangam 1
Kristnien, late Head Peishkar of Srirangam 2.

„ IX.—*Sentence.*—The disturbances arose from the Sathanies (Tengalais) being prevented by the 1st and 2nd defendants from taking part in the ceremonies, and honours of the feast according to mamool. They were thus prevented by the 1st and 2nd defendants who mistakingly assert their right as forming a majority of the Dharmakarthas to dismiss the Sathanies from the Pagoda service, and accuse the Sathanies of unjustly raising disturbances at the feast aided by the 3rd defendant, also a Dharmakartha, and Tengalai Stalathar. The 1st and 2nd defendants further state that the Sathanies had declined to serve in the pagoda and were therefore prevented joining in the Sankaranthi feast.

To explain matters it is necessary to observe that Rengasamy Iyengar though a Vadagalay was recommended for the office of Dharmakartha by the Stalathars (Tengalais), partly it would seem because he was not on good terms with his own party. While the 3 Dharmakarthas acted in harmony, the Sathanies were allowed to put up a new Tiruman or Tengalai sign over the Royā Gopuram but afterwards disputes arose for the chief management in the pagoda affairs and then Rengasamy Iyengar with the aid of the Vadagalais and with the apparent object of obtaining

... support forcibly removed the Tengalai ornament. This improper act ... caused excitement and confusion, and the two 1st defendants to excuse ...nduct falsely reported to the Hoozoor that the tumult arose from the Satha... aving attempted to put up a new Tengalai sign that day (5th December) ...out permission. It was proved by evidence including that of the late Police ...meen Ramasami Reddy that the Tiruman had been put up some months previously and it is evident that the Sathanies would not have been able to erect it without permission. Ramasami Reddy is not an unfavourable witness as the 1st defendant had requested that he might be retained in the Lalgudy Police Ameenship and the Teroomau was also seen by the Hoozoor servants when passing on circuit to Watalaygoodaloor. The conduct of the 1st and 2nd defendants on that occasion was therefore highly improper, but as the case was connected with the ornamental business of the pagoda, and they were a majority of the Dharmakarthas the Magistrate confined himself to expressing censure of their conduct and referring the Sathanies to the Civil Court for redress.

It would seem that the 1st and 2nd defendants have now prevented the Sathanies exercising their Mirasi privileges, offices, and honours in the pagoda ceremonies in consequence of the occurrence above alluded to and the complaints made by the Sathanies against them. They allege indeed that the Sathanies refused to serve longer in the pagoda, but this is denied by the Sathanies who have been constantly complaining of being prevented performing their duties and it is clearly shewn that at the Sankaranthi feast they were present and ready to perform their part. The conduct of the 1st and 2nd defendants therefore is most inexcusable and is aggravated by their employing Vadagalais to perform the Tengalai offices contrary to mamool and express decrees of the Civil Court. Disputes have thus arisen which have interrupted the feast and thrown the whole neighbourhood into excitement and confusion causing serious danger to the publice peace. The question whether the 1st and 2nd defendants are to continue Dharmakarthas is before the Board of Revenue and until it is decided by that authority the Magistrate finds it necessary to resort to precautionary measures for preventing disturbances and riots. In conformity therefore with the instructions given by the Provincial Court of Appeal and Circuit under date 14th December 1835 for carrying out the decree in favour of the Tengalais, he calls on the 1st and 2nd defendants to give each one security of 500 Rs. for keeping the peace for 6 months under clause 1st section V. of Regulation VI of 1827. If after this they forcibly prevent the Tengalais enjoying any of their ancient and undoubted rights their securities will be forfeited and they will either be punished by the Magistrate or committed for trial to the Criminal Court according to the instructions above quoted. The Sathanies are informed that they are to be allowed to exercise their usual rights, but must do so peacefully and if in attempting to perform them they are forcibly prevented they must not resort to violence but come and complain bringing evidence of the forcible obstruction. In the state of the excitement now existing it appears necessary to prevent the Tengalai party having any temptation to go beyond their mamool rights or resort to violence if any dispute occurs. For this purpose the 3rd and 4th defendants are bound over in personal recognizances of 200 Rs. and 50 Rs. respectively to keep the peace for 6 months, under the same Regulation above quoted.

E. MALTBY,
Magistrate.

24th January 1850.

16th November 1854.

Decree of the Civil Court of Trichinopoly.

Original Suit No. 75 of 1851.

Before the Principal Sadar Ameen.

Plantiffs :—1. Thiruvenkatathan 2. Ramasami 3. Nammalvan.

Versus.

Defendants :—1. Vadavyasa Bhutter 2. Rangasami Aiyangar 3. Sivaguru dha. Pillai having died, his widow Visalakshi ammal 4. Arumugam Pillai 5. K nusami Pillai 6 Singamiengar 7. Nullakothan 8. Perumalkothan 9. Rangan Muthusami 11. Nayanah 12. Kurumbayaram *alias* Kamdyaram 13. Konari Aiyan & 14. Chuckaramiengar.

(L. S.)

Appeal Suit No. 41 *of* 1853, *before the Civil Court.*

Appellants.		Respondents.
Rangasami Aiyangar	*Versus.*	Thiruvenkatathan.
Vakil Subbaiyar		Ramasami, Nammalvan.

1. It was urged in the plaint that with the permission of the 1st, 2nd and 3rd Defendants, Trustees of the Srirangam Pagoda the Plaintiffs built a brick work on the Rayagopuram or Southern Tower of the Pagoda, certain marks peculiar to the worshippers of Vishnu, at an outlay of Rs 100, that the work was demolished by the Defendants, and that bricks and chunnam to the value of Rs 50 were also lost on the occasion. The Plaintiffs therefore brought the suit to recover Rs 150 as damages.

2. The 1st Defendant in his answer admitted the truth of the Plaintiffs' claim, but contended against his liability to it on the ground that he did not join the other Defendants in demolishing the work in question.

3. The 2nd Defendant denied having ever permitted the erection of the work in question or ordered its demolition and asserted that he opposed the Plaintiffs' attempt to raise such a work knowing well that it would lead to serious mischief. The 3rd Defendant assented to this answer.

4. The answer of the 14th Defendant corresponded with that of the 2nd Defendant and attributed this suit to the ill-feeling between the Vadagalai and Tengalai parties.

5. The other Defendants neglected to defend the suit.

6. The reply and rejoinder severally supported the Plaint and Answer.

7. 13 documents were produced by the Plaintiffs and 9 witnesses were examined for them.

8. The 14th Defendant filed one document.

9. The Principal Sadur Ameen awarded the 2nd Defendant alone to pay the Plaintiff Rs. 77½ as the amount of loss proved to have been sustained by them and disallowed the rest of his claim. The 2nd Defendant was further assessed with all the costs of the suit.

10. Against this decree the 2nd Defendant preferred this Appeal, repeating the same pleas that were urged by him in his original answer.

11. The documentary and oral evidence proceedings by the Respondents only show that they built up certain works in the Pagoda of Srirangam which subsequently disappeared, but there is nothing to show that the Appellant destroyed these works, the evidence of the witnesses is only hearsay and not entitled to credit.

12. The Respondents have not proved the amount of the loss sustained by them, and there is no authenticated account showing the particulars of the works built by the Respondents.

13. It is notorious that there are two parties among the worshippers of Vishnu, and that those parties are at enmity with each other. The Respondents, their witnesses and the 1st Defendant belong to one party and the Appellant to the other. The work, the demolition of the work complained of, consisted of the distinctive marks of the Respondent's party and was therefore calculated to wound the feelings of the other party.

The Respondents have not proved a written authority from the Trustees of the Pagoda for the building of the said work which was novel and pregnant with serious mischief as remarked by the late Sessions Judge Mr. Greenway in his proceedings of the 10th January 1850, copy of which was produced by the 14th Defendant and these proceedings were confirmed by the Court of Sadar Adaulat. The Respondents could not be entitled to damages for the demolition of such a building. They stated in their original plaint, thattheir object in suing for the amount of the alleged loss was to enable them to rebuild the work in allowing this amount.

The Principal Sadar Ameen has given the Respondents the power of raising on the Pagoda marks calculated to provoke the indignation of the majority of the worshippers of Vishnu and give origin to serious evils.

14. The Court therefore reverses the original decree and dismisses the Respondents' claim with all costs

	Rs	A.	P.
Costs to be paid by the Respondents to the Appellant only.			
Costs mentioned in the original decree	10	4	0
Value of the stamp paper on which the Appeal petition was written, ...	17	0	0
Batta to Process peon	0	12	0
Vakil's fee	3	14	0
Total Rs. ...	31	14	0
Costs to be paid by the Respondents to the 1st Defendant only.			
Costs mentioned in the original decree	8	4	0
Costs to be paid by the Respondents to the 3rd Defendant only.			
Costs mentioned in the original decree	0	8	0
Costs to be paid by the Respondents to the 14th Defendant only			
Costs mentioned in the original decree	1	0	0
Costs to be borne by the Respondents only.			
Costs mentioned in the original decree	25	7	0
Costs to be borne by the 1st Respondent only			
Value of the stamp paper on which the Appeal answer was written	8	0	0
Total Companys Rs	75	1	0

And it is hereby directed that no private adjustment of this decree shall be allowed or deemed valid unless the terms of such adjustment shall have been previously and reciprocally declared by all the parties interested therein and made a record of this Court with their unanimous consent.

Given under my hand and the seal of the Civil Court of Trichinopoly this 16th day of November 1854.

(Signed) T. I. P. HARRIS,
Civil Judge.

Signed and Sealed on the 16th November 1854.

14th November 1855.

PRESENT.

G. S. Hooper Esquire

W. A. Morehead Esquire.

T. L. Strange Esquire.

No 100 *of* 1855.

Special Appeal from the Decision passed by T. I. P. Harris Esquire, Civil Judge of Trichinopoly, dated 16th November 1854.

Teroovengadam—Special Appellant

Versus.

Rajah Stree Rangasami Iyengar Bahadur—Special Respondent.

S. Teroomala Charry—Pleader for Special Appellant.

J. B. Norton Esquire—Pleader for Special Respondent.

1. The Original Suit was instituted by the Plaintiffs to recover from the Defendants damages viz., Rupees 150, value of certain brickworks, erected in the Pagoda of Sreerangam, and which the Defendants had demolished.

2. The Principal Sudder Ameen considered that the demolition had been caused by the 2nd Defendant. He adjudged him to pay the Plaintiffs Rupees 77½ as the amount of loss proved to have been sustained.

3. On Appeal the Civil Judge reversed the decree of the Principal Sudder Ameen being of opinion that there was nothing on the record to show that the Defendants had caused the demolition of the work in question.

4. From this Decree a special Appeal was admitted by the Court of Sudder Udalut, as the ownership of the Pagoda in question and consequently the right of the special Appellant to erect the said works, was not a point raised in the suit, and the Civil Judge therefore apparently had gone beyond the points at issue in declaring that the Plaintiffs were unauthorized to erect the work which had been demolished.

JUDGMENT.

5. The Civil Judge has found that there is no evidence to the Defendants having demolished the work in question in this suit, and this sufficed to justify the Civil Judge in reversing the Original Decree which awarded damages for the said demolitions. They accordingly affirm the Decree of the Civil Judge.

6. The Court of Sudder Udalut here remark, that para 13 of the Civil Judge's Decree which enters upon the general question of the right of the Plaintiff's party to erect such a work is surplusage and of no force.

7. The Costs in special appeal are to be paid by the special Appellant (1st Plaintiff) but in consideration that his special Appeal was brought for—— against the observations of the Civil Judge above objected to by the Court of Sudder Udalut, the Court remit to him the value of the primary stamp of his special Appeal.

(True Copy)

14th November 1855. (Signed) L. KRISTNIENGAR.

25th May 1850.

நெ. 67.

லாலுடிகுடி தாலூகா போலிஸ் அமீனு வெங்கிடசாமி நாயக்கருக்கு.—

என்னவென்றால், தென்கலை ரெங்காசாரி உசூரில் கொடுத்த பிட்டிஷனை நீர் உத்திரவுப்படிக்கு விசாரித்து தஸ்தவேசு சகிதமாய் சில விபரங்கண்டு நீர் எழுதிய 66 நெ. அர்ஜி வந்தது. அது காரியத்துக்கு ஷை சங்கதியைக்குறித்து 1846 வரு ஜூன் மீ 16 உ யுள்ள பவுசுதாரிக்கோர்ட்டு உத்திரவுப்படிக்கு வடகலையார் வேதபாராயணம் முதலானது செய்துவருவதில் தென்கலையாருக்கு ஏதாவது தகாரிருந்தால் சீவில்கோர்ட்டில் தெரியப்படுத்திக்கொள்ளவேணுமேதவிர அந்த விஷயத்தில் மேஜிஸ்திரேட்டார் யாதொன்றும் பிரவேசிக்கத்தக்கதில்லையென்றும் ஷை வேதவிஷயத்தில் இருவகையாரும சமாதானத்துக்கு விரோதமாய் சச்சரவு முதலானது செய்தால் அதைகுறித்து மேஜிஸ்திரேட்டு தறப்பில் விசாரணைசெய்து கடினமான தெண்டனை நடப்பிவிக்கப்படுமென்றும் இரு கக்ஷிக்காரர்களுக்கும் செம்மையாய் தெரியும்படியாய் அறிவித்துக் கண்டிப்பாய்த் தாக்கீது செய்யவும்." அர்ஜியுடனேவந்த இருகக்ஷிக்காரர்களுடைய தஸ்தவேசுகளையும் பேசிலதுப்படிக்கி வாப்சு செய்திருக்கிறது. அதுகளை அவர்களிடத்தில் கொடுத்துவிடவும்.

1850 வரு மே மீ 25உ மு. திருச்சிராப்பள்ளி.

6th October 1850.

திருச்சிராப்பள்ளி ஜில்லா சிவில் கோர்ட்டாரவர்களுடைய 1850 வரு செப்டம்பர் மீ 6 உ. சேசன் எக்ஸ்திருக்ட்டு தர்ஜுமா.

டி. யி. ஜெ. பாயிலொதுரை உத்திரவு—1வது, தென்கலையாருக்கு நியாயமாய் கிடைத்திருக்கிற சுதந்திர பாத்தியங்களில் வடகலையார்கள் ஆக்கிரமிக்கும்படிக்கு வேதபாராயணம் பண்ணுகிற தென்கலையாருடைய பாத்தியமான விஷயத்தில் பிரவேசித்திருக்கிறதினாலே அதற்காக அவர்களுக்கு தெண்டனை செய்யவேணுமென்று தென்கலையார் பக்ஷத்தில் ரெங்காசாரியென்பவன் 1808 வரு 130 நெ. தீர்ப்பு கும்பகோணம் ஜில்லா கோர்ட்டு 1825 வரு த்திய 82 நெ. தீர்ப்பும் அதை அனுசரித்து கலெக்டர்கள் செய்த தாக்கீது முதலான 6 தஸ்தாவேசுகளுடனே போன ஜூலை மீ 15 உயில் கானது வரு த்திய செல்லரை பிட்டிஷன் நெ. 260 ல் கொடுத்த மனுவையும் ஷை மீ 17 உ யில் கிருஷ்ணயயங்கார் என்பவன் தனக்காகவும் வடகலை பிரமணுளுக்காகவும் கோர்ட்டில் பார்வையிடும்படி (11) தஸ்தாவேசுசகிதமாய் ரெங்காசாரி கொடுத்த மனுவை தள்ளிப்போடவேணுமென்று கானது வருத்திய சில்லறை பிட்டிஷன் நெ. 264 ல ஆக்ஷேபித்து கொடுத்த மனுவையும் வாசிக்கலாச்சுது.

2வது, கக்ஷிக்காரர்களாகிய தென்கலை, வடகலையார்கள் இருதறத்தாரும் 10 வருத்துக்குமேல் முதல் மகத்தான விரோதத்தைப்பட்டுக்கொண்டு செய்கிறதாவது: வேதபாராயணம் முதலான சில மிராசுகளை நடத்திவருகிற பாத்தியம் முழுவதும் தென்கலையாருக்குமாத்திரம் கோர்ட்டாரவர்களுடைய முடிவான தீர்ப்பினாலே கிடைத்துவிட்டதென்று வடகலையாருக்குண்டான வயிராக்கியத்தினாலே வடகலையார்களால் பலவந்தமும் கலகங்களும் சச்சரவுகளும் உண்டாய்க்கொண்டு வருகிறதையிட்டு அடிக்கடி பிட்டிஷன்களாலே இருதறத்தாரும் கோர்ட்டாரை தொந்தரவு செய்துகொண்டு வருகிறார்கள்.

3வது, இந்த வேதபாராயண சங்கதியில் இந்த கோர்ட்டார் தென்கலையார் பக்ஷமாய் முடிவான தீர்மானம் செய்திருக்கிறார்கள். மேலும் பவுசுதாரி கோர்ட்டாரவர்கள் போனமீ 1உயுள்ள தங்களுடைய தினசரியில் வேறொருவிதத்தாலே விரோதம் நேரிட்டு அப்பீல் செய்துகொண்டபோது மேஜிஸ்திரேட்டார் செய்த உத்திரவுகளை] செசன் ஜட்ஜி உறுதிசெய்து சரியானதென்றும் நியாயமானதென்றும் இந்த விஷயத்தில் அப்பேர்ப்பட்ட உத்திரவு செய்யவேண்டியதுதானென்றும் தங்களுக்கு செம்மையாய்த் தெரியவருகிறதென்றும் ஆதலால் அதுகளை மாத்தக்கூடாதென்றும் கண்டிருப்பதினாலே இந்த சங்கதியில் இந்த கோர்ட்டார் செய்த உத்திரவையும் அவர்கள் உறுதிப்படுத்துவார்களென்று நினைக்கிறார்கள்.

ஆகையால் போன ஜுன் மீ 21உ ல் இந்த கோர்ட்டார் கொடுத்திருக்கிற உத்திரவைவிட இந்த கோர்ட்டார் வேறே உத்திரவு செய்யத்தக்கதில்லையென்று ஆக்டிங்கு ஜில்லா ஜட்ஜியவர்கள் உத்திரவு செய்கிறார்கள்.

1850ஞு அக்டோபர் மீ 6உ.

6th November 1850.

Extract from the Proceedings of the Civil Court of Trichinopoly under date the 6th November 1850.

M. P. No. 428 *of* 1850.

Read petition presented on the 6th November 1850, by Tengalai Ranga Chari, one of the plaintiffs in Suit No. 130 of 1808 on the file of the late Zillah Court of Trichinopoly, stating that one Rangasami Aiyangar one of the Vadagalai party in spite of custom of long standing and of the decree of the late Zillah Court in O. S. No. 130 of 1808 caused the corpse of his Priest named Aundy Cauttoo Ramanuja Aiyangar to be carried to the place of burial attended with different kinds of tom-toms and other marks of respect and with a great number of Vadagalai Brahmans who were employed all the way in reciting Adyapaka Prabandum and Vadaparayanam or prayers, that the said Rengasami Aiyangar and Sivagurunadha Pillai, while they were Managers of Srirangam Pagoda having created some disturbance, the Magistrate extorted from each of them a security to the amount of Rs. 500. Requesting therefore the Court will be pleased to punish the said Rengasami Aiyangar and his partizans for having recited the prayer denominated Adyapaka Prabandum (from which they are prohibited) and for having registered the decree above alluded to under Section 3, Regulation III of 1831 and Section 26, Regulation III of 1822, and that they be strictly ordered not to create any such disturbance.

Order of the Court. Petitioners are referred to the Acting Judge's order of 1st November in regard to those disputes. The act complained of is a direct grievance for which damage may be claimed by regular suit against the persons who were the aggressors.

The decree of the Court referred to seems from the petitions to be so habitually infringed that the course laid down in the diary of 1st November seems the only one that can with any hope of doing justice be adopted and to the course there laid down the Acting Judge will adhere

If petitioners object to that order, their course is to appeal from it before the 1st February 1851.

6th November 1850.

(Signed) J. RHODE,
Ag. Civil Judge.

13th March 1851.

Extract from the Proceedings of the Sudder Adalat under date the 13th March 1851.

PRESENT :—E. P. THOMPSON Esq. } *Judges.*
W. A. MOREHEAD Esq. }

Read Miscellaneous petitions presented on the 21st November and 23rd December 1850 by R. Therumala Row, Vakil on behalf of Tengalai Rengachari of Zillah Trichinopoly.

(Here enter S. A. M. P. Nos. 418 and 459 of 1850)

d also Mis. Petitions presented on the 9th December 1850 and 6th January Narasimma Thathacharyar of the Zillah Trichinopoly.

(Here enter S. A. M. P. Nos. 437 of 1850 and 10 of 1851)

The Petitioner Rengachari appeals from an order passed by the acting Civil udge of Trichinopoly under date the 1st November 1850 referring him to the institution of a Civil Suit with reference to certain infringement upon the privileges conferred upon the sect to which he belongs by the decree of the late Provincial Court of appeal in O. S. No. 130 of 1808.

2. The Court of Sudder Udalut approve of the order passed by the acting Civil Judge in this case and they resolve to refer the petitioner Rengachari to the former orders passed by them upon similar petitions presented by him and others of his sect in which they have been repeatedly informed that this Court would not interfere in the manner solicited and that if any of their rights and privileges were infringed they should bring an action for damages in the Civil Court.

3. The Court of Sudder Udalut further resolve to intimate to the petitioner Rengachari that on the next occasion of his thus uselessly troubling and taking up the attention of the Court with a similar petition, he will subject himself to the imposition of a fine.

Ordered that a copy of the above proceedings be sent to the acting Civil Judge Trichinopoly and that petitioner be furnished with a copy of the same on the application of his Vakil.

13*th March* 1851.

26*th June* 1858.

ஸ்ரீரெங்கம் திருமழிசைப்பு குருசாமி அய்யருக்கு.

ஸ்ரீரெங்கத்தில் மேமீ 1௳ யில் தீர்ப்பு முதலானதுகளுக்கு விரோதமாய் வடகலையார் மிகலென்கிற சடங்கை செய்ததைக்கேட்ட தென்கலை ஆனைவெங்கிட்டரெங்கய்யங்கார் வகைறா பேர்களை கத்தியால் வெட்டியும் குத்தியும் தடிகளாலடித்தும் காயப்படுத்தி சொத்துக்களைப் பறித்துக்கொண்டுபோனதாய் குற்றஞ்சாட்டப்பட்ட வடகலையார்களில் 17 பேர்களை கோர்ட்டுக்கு கமிட்டுசெய்து இனி அப்படிப்பட்ட கலகத்துக்கு ஆஸ்பதமில்லாமல் தகுந்த பந்தோபஸ்து செய்யவேணுமென்று டை இருதரத்தாரும் தாக்கல்செய்த தஸ்தவேசுகளுடனே மே. அ. மெஜிஸ்திரேட்டு துரையவர்களுக்குத் தெரியப்படுத்தியிருந்ததில் 1808 ௵ த்திய 130 கெ. தீர்ப்பையும் பிறின்சுபால் கோர்ட்டாரவர்களுடைய 1835௵ டிசம்பர் மீ 14௳ யுள்ள எக்ஸ்திருக்ட்டையும் பவுந்தாறி கோர்ட்டாரவர்களுடைய எக்ஸ்திராக்ட்டு முதலானதுகளையும் அதிலிருக்கிற 36, 50 இந்த வருஷங்கள் ரிஜிஸ்தர் தீர்மானங்களையும் பார்வையிட்டதில் ஸ்ரீரெங்கம் சப்தப்பிறகாரத்துக்குள்ளேயும் கோவில் முதலான இடங்களிலேயும் வேதத்தாலும் பிரபந்தத்தாலும் செய்யப்பட்ட சகல சடங்குகளும் தென்கலையாரே செய்யவேணுமென்றும் வடகலையாருக்கு சம்மந்தமில்லையென்றும் அப்படிப்பட்ட தென்கலையாருடைய சுதந்திரவிஷயத்தில் வடகலையார் பிரவேசிக்கக்கூடாதென்றும் பிரவேசித்தால் தெண்டிக்கப்படுமென்றும் தீர்ப்பு முதலானதுகளாலேயும் அதற்கு விரோதமாய் நடந்த வடகலையார் சிலதடவைகளில் தெண்டிக்கப்பட்டிருக்கிறதாக தெரியவருகிறபடியினாலேயும் அப்படிக்கெல்லாமிருக்க மறுபடி இப்போது மேல்கண்ட உத்திரவுகளுக்கெல்லாம் விரோதமாயும் கலகத்துக்கு ஆஸ்பதமாயும் வடகலையார் துராகிரதத்தில் யேற்பட்டு தடி கத்தி ஆயுதம் முதலானதுகளுடனே கூட்டம்கூடி மிகவும் சண்டையும் செய்திருப்பதினாலேயும் இப்படிக்கெல்லாம் சம்பவிக்க

வொட்டாமல் சமாதானத்தைக் காப்பாற்றவேண்டியது மேஜிஸ்திரெட்டார் கடமைய
ைலேயும் இனிமேல் வடகலையார் இப்பேர்ப்பட்ட துர்மார்க்கத்தில் யேற்படக்கூடாதெ
றப்பட்டால் தெண்டிக்கப்படுமென்றும் சயன்முகருடன் ஒரு இஸ்தியார் அனுப்பியிருக்
அதை ஸ்ரீரெங்கம் கோவில் ஸப்தப்பிறுகாரத்துக்குள்ளாகயிருக்கப்பட்ட எல்லாரும் மு
ம்மையாய் அறிந்திருக்கும்பொருட்டு பிரசித்தப்படுத்திவைத்து அசல் இஸ்தியாரை பக்
யும் பப்ளிக்காயிருக்கிறவிடத்தில் ஒட்டிவைப்பித்து இனி சர்க்கார் உத்திரவுகளுக்
மாய் யாரும நடவாமலும் வீண்கலகம் நேரிடாமலிருக்கும்பொருட்டு தகுந்த பந்தோபஸ்
வரும்படி நாளது ௴ 26௳ யுள்ள 74வது உத்திரவு கொடுத்தனுப்பியிருக்கிறது. நீரும்
து ௸ இஸ்தியாரை ஸ்ரீரெங்கம் கோவில் ஸப்தப்பிறுகாரம் முதலானயிடங்களில் எல்
ரும் அறியும்படி பிரசித்தப்படுத்தி பயிரங்கமானயிடத்தில் ஒட்டிவைத்து அது சங்க
டு செய்யவும். வடகலையார் இஸ்தியாருக்கும் தீர்ப்புமுதலான துகளுக்கும் விரோதமாய் ஸ்ரீரெங்கம
ஸப்தப்பிறுகாரத்துக்குள்ளேயும் கோவில்முதலான யிடங்களிலேயும் தென்கலையாருக்கு பாத்திய
மான வேதப்பிரபந்தம் முதலான சடங்குகளை ௸ தென்கலையார்கள் சொல்லப்பட்டதில் பிரவே
சித்துக் கலகத்துக்காஸ்பதமாய் துர்மார்க்கத்தில் ஏற்படுவார்களேயாகில் அப்படிப்பட்ட வடகலை
யார்களை தெண்டிக்கவேண்டியதற்காக பிடித்து அனுப்பிவித்துக் கொண்டுவரவும்

1858௵ ஜுன் ௴ 26௳.

Isthiar to the Vadagaliars of Srirangam.

26*th June* 1858.

திருச்சிறாப்பள்ளி ஜில்லா பேட் அஸிஸ்டாண்டு மேஜிஸ்திரேட்டு மேஸ்தர் எச். எம். எஸ். கிரிம்துரையவர்கள் ஸ்ரீரங்கத்திலிருக்கும் வடகலையாருக்கு இதினால் அறிவிக்கிறதென்னவென்றால்:—

ஸ்ரீரெங்கம் சப்தப்பிரகாரத்துக்குள்ளேயும் கோவில் முதலான விடங்களிலேயும் வேதத்தாலும் பிரபந்தத்தாலும் செய்யப்பட்ட சகல சடங்குகளுக்கும் தென்கலையாரே செய்யவேணுமென்றும் வடகலையாருக்கு யாதொரு சம்மந்தமில்லையென்றும் அப்படிப்பட்ட தென்கலையாருடைய சுதந்தர விஷயத்தில் வடகலையார் பிரவேசிக்கக்கூடாதென்றும், பிரவேசித்தால் தெண்டிக்கப்படுமென்றும் ஜில்லா கோர்ட்டு 1808 வருஷத்திய 130 வது கேம்பரில் தீர்ப்பாகியும் அது ஊர்ஜிதப்பட்டும் அதுமுதல் கெடுகிலும் ௸ தீர்ப்பையனுசரித்து அனேக ஆதாரங்களுண்டாகியும் அதுகளுக்கு விரோதமாய் நடந்த வடகலையார் சில தடவைகளில் தெண்டிக்கப்பட்டுயிருக்கிறதாக தெரியவருகிறபடியினாலேயும் அப்படிக்கிருக்க மறுபடி இப்போ மேலே கண்ட உத்திரவுகளுக்கெல்லாம் விரோதமாயும் கலகத்துககாஸ்பதமாயும் வடகலையார் துராகிரத்தில் யேற்பட்டு நடி கத்தி ஆயுதம் முதலானதுகளுடனே நாளது ௵ மே ௴ 9௳ யில் கூட்டங்கூடி இகலுஞ்சண்டையும் செய்திருப்பதாக தெரியவருவதினாலேயும் சமாதானத்தை காப்பாத்தவேண்டியது மேஜிஸ்திரெட்டாருடைய கடமையாயிருப்பதினாலேயும் இனிமேலாக ௸ வடகலையார் ௸ தீர்ப்பு முதலானதுகளுக்கு விரோதமாய் இப்பேர்ப்பட்ட துர்மார்க்கத்தில ஏற்படக்கூடாதென்றும் ஏற்பட்டாலுடனே பிடித்து விசாரணைக்குள்படுத்தி தெண்டிக்கப்படுமென்றும் இதின் மூலமாய் முன்னுடை கண்டிப்பாய் தெரியப்படுத்தலாயிருக்கிறது; அறியவும்.

1858௵ ஜுன் ௴ 26௳ மு. திருச்சிறாப்பள்ளி. (Signed) H.M.S. GREAME,

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6*th July* 1858.

நெ. 83

லாலுகெடி தாலுகா பேட் போலீசு கர்தர்சாயடிக்கு —

ஸ்ரீரெங்கத்தில் தென்கலையாரும் வடகலையாரும் பெகல்விஷயத்தில் சச்சரவு செய்துகொண்டதைப்பற்றி நீர் விசாரித்து சில விபரங்களைக்கண்டு நீர் மே ௴ 29௳ எழுதிக்கொண்ட 145 நெ. அர்ஜியின்பேரில் இருககூஷிக்காரர்களாலும் அஜர் செய்யப்பட்டதாக உம்மாலனுப்பப்பட்ட தஸ்தவேசுகளைப் பார்வையிட்டு அதுகளையனுசரித்து இனி யாரும் சச்சரவுக்கேற்படக்கூடாதென்று ஒரு விளம்பரத்துடனே ஜுன் ௴ 26௳ யில் 74 நெ. உத்திரவு அனுப்பப்பட்டிருக்கிறதல்லவா?

இப்பால் வடகலையார். கக்ஷியில் வைக்கிலான மேஸ்தர். வில்ஸன் என்பவர் உம்மாலனுப்பப்ப சில தஸ்தவேஜுகளை ஆஜர் செய்ததின்பேரில் எல்லா நடவடிக்கைகளையும் பார்வையிட்டு ஆ லோசனை செய்ததில் 1851 ஞு மார்ச்சுமீ 13 உயில் சதர் அதாலத்துக்கோர்ட்டிலிருந்து ஒரு எ ராக்ட்டு பிறந்திருக்கிறது. அதில் சடங்குகளைச் செய்யும் பாத்தியத்தைப்பற்றின எல்லா சங் கதிகளும் சிவில்கோர்ட்டில் பைசலாகத்தக்கதென்று கண்டிருக்கிறது. இது மேலானகோர்ட்டு உத் திரவாயும் கடைசியில் பிறந்த உத்திரவாயுமிருக்கிறது. ஆனபடியினாலே பார்க்கும்போது சடங்குவிஷய த்தைப்பற்றி மேஜஸ்திரேட்டில் பேசவேண்டியது அசத்தியமில்லாததாயிருக்கிறது.

ஆனதால் முன் அனுப்பியிருக்கிற 74 நெ. உத்திரவையும் அத்துடன் அனுப்பிய இஸ்தியா ரையும ரத்துசெய்து இனி யாரும் சச்சரவுசெய்துகொள்ளாமலிருக்கும்பொருட்டாய் ஒரு இஸ்தி யாரை தயார்செய்வித்து இத்துடனே அனுப்பியிருக்கிறோம. அதை பிரசித்தப்படுத்தி முன் இஸ் தியாரை தருவித்துக்கொள்ளுகிறதுமதவிர சண்டை சச்சரவு முதலான யாதொரு துர்மார்க்கமு ம் நடவாமலிருக்கும்படி தகுந்த சாக்கிரதை செய்யவும்; அறியவும்.

பின்னும் இருகக்ஷிக்காரர்களும் அவர்களுக்குண்டான பாத்தியவிஷயத்தில் ஏதாவது வழக்கு ண்டாயிருந்தாலும் யாராவது அபகரித்தாலும் அப்பேர்ப்பட்ட சங்கதிகளைப்பற்றி மேற்படி சதிர்கோ ர்ட்டு உத்திரவுப்படி சிவிலில் விவகரித்துக்கொள்ளவேணுமேதவிர அதைப்பற்றி யாரும் சண்டை செய்யவாவது அதற்கு எத்தினப்படவாவது கூடாது. அப்படிக்கு யாராவது கலகம் செய்தால் அ தைப்பற்றி உடனே அவர்களைப்பிடித்து விசாரித்து கடினமான தெண்டனை விதிக்கப்படும். இந்த விபரத்தை நீர் மேற்படி இரண்டுவகையாருக்கும முன்னாடி செம்மையாய் தெரியப்படுத்தவும்.

1858ஞு ஜூலைமீ 6உ
மு. திருச்சினாப்பள்ளி.

(Signed) H. M. S. GREAME,

6th July 1858.

திருச்சினாப்பள்ளி ஜில்லா ஹெ. அ. மேஜஸ்தி ரேட்டு மேஸ்தர். எச்சு. எம். எஸ். கிரீம் துரையவர் கள் ஸ்ரீரெங்கத்திலிருக்கும் தென்கலை, வடகலை யிரு வகையாருக்கும் இதினாலே அறிவிக்கிறதென்ன வென்றால்,

வடகலையாருக்கு போன ஜூன்-மீ 26-உ யில் அனுப்பியிருக்கிற இஸ்தியாரைப்பற்றி முன் பார்வைக்கு வராத சில தஸ்தாவேஜிகளையும் இப் போது பார்வையிட்டு அதுகளுக்கொத்தபடி மேற்படி இஸ்தியாரை ரத்து செய்துபோட்டிருக்கிறோம்.

சடங்குகளை நடப்பிவித்துக்கொள்ளுகிறவிஷ யத்தில் யாருக்காவது வழக்கிருந்தால் அப்பேர்ப்ப ட்டவர்கள் கிரமப்படி சிவிலில் விவகரித்துக்கொ ள்ளவேணுமேயல்லாது அதை முன்னிட்டு எந்த வகையாரும் வீண்கலகத்துக்கு யேற்படக்கூடாது அப்படிக்கன்றியில் யாராவது கலகஞ்செய்தால் அப்பேர்ப்பட்டவர்களை பிடித்து கிரமப்படி விசா ரித்து ருஜு-வின்பேரில் தெண்டிக்கிறதாயிருக்கும்.

1858ஞு ஜூலைமீ 6உ
மு. திருச்சினாப்பள்ளி

(Signed) H. M. S. GREAME.

6th July 1858.

Notice issued by Mr. Greame, Head Assistant Magistrate, dated 6th July 1858.

Is hereby given to all Tengaliars and Vadagaliars that the former notice to the Vadagaliars, dated 26th June, has been hereby cancelled after perusal of some documents not produced before; that if there be any dispute about the performance of their respective ceremonies they should go to the Civil Court for remedy and there should be no riot whatever committed concerning the same. And any one shall infringe this on pain of subjecting himself to punishment on sufficient proof.

6th July 1858
Trichinopoly.

(Signed) H. M. S. GREAME,
Hd. Asst. Magistrate.

13*th July* 1858.

Trichinopoly Head Assistant Magistrate's Office.

From,

H. M. S. GREAME Esquire,

Head Assistant Magistrate,

Trichinopoly.

To,

J. BIRD Esquire,

Magistrate of Trichinopoly.

Sir,

In reply to your letter of the 9th Instant [transmitting 2 extracts from the Proceedings of the Session Court, I have the honour to enclose my endorsements (from which) it will be perceived what were my reasons for issuing the 1st proclamation and for subsequently annulling it and issuing the 2nd one.

2. But briefly the reason for issuing the 2nd proclamation was in consequence of a perusal of the order of the Sudder Udalut under date 13th March 1851 and which order was not forwarded to me by the Tahsildar with the other papers and was not seen by me till it was brought to me by Mr. Wilson, the Vakil of the Vadagalais. That order clearly points out the course to be pursued by the Tengaliars on any infringement of their rights and privileges and at once defines the limits of the authority of the Magistracy as connected with the execution of the decree of the Zillah Court of Trichinopoly of 1808. The proceedings connected with the case are herewith forwarded.

I have &c.

(Signed) H. M. S. GREAME,

Head Assistant Magistrate.

IYAL—இயல்.

15th *June* 1858.

ஸ்ரீரங்கம் கிரும முன்சீபு குருசாமி அய்யனுக்கு

என்னவென்றால் ஸ்ரீரங்கத்திலிருக்கும் தென்கலை ஆனை வெங்கிட்டரெங்கய்யங்கார் வகையறா பேர்களைக் கனமாய் காயப்படுத்தி தடயங்களை பிடுங்கிக்கொண்டு போனதாக குத்தம் சாட்டப்பட்ட காவலாளிகளில் கோர்ட்டு கம்மிட்டாயிருக்கிறவனைத்தவிர அதில் முக்கியமான காவலாளி ஸ்ரீரங்கத்தில் இருக்கப்பட்ட கொடியாலம் ரெங்கசாமி அய்யங்கார் 1. அப்பில் கோரட்டு ஸ்ரீநிவாச அய்யங்கார் குமாரன் ஸ்ரீநிவாசராகவய்யங்கார் 2. காவல்பாக்கம் செல்லமய்யங்கார் 3. கோட்டூர்வெங்கிடாசாரி இவர்கள் வாறண்டுக்கு அகப்படாமல் தலை மறைவாய் ஒளித்துகொண்டிருப்பதைக்குறித்து உசூர் மேஜிஸ்திரெட்டுக்கு தெரியப்படுத்தியிருந்ததில் ஷை காவலாளிகளுக்கு ஆஸ்திகளிருக்கிறதைக்குறித்து விசாரித்து கணக்குடன் தெரியப்படுத்தும்படி நாளது மீ 14 உ யுள்ள 71 வது நெ. மேஜிஸ்திரட்டு உத்திரவு சாதராகியிருக்கிறதினாலே இந்த உத்திரவு கண்ட நிமிஷத்துக்கு யெவ்வளவும் தாமதஞ்செய்யாமல் மேல்கண்ட காவலாளி 4 பேர்களுக்கும் ஸ்ரீரங்கம் முதலான யிடங்களில் கெட்டி மெத்தைவீடு முதலான யெவ்விதமான ஆஸ்திகள் இருக்கிறதென்று அக்கம்பக்கம் வீட்டுக்காரர்கள் முதலானவர்களை செம்மையாய் விசாரித்து இருக்கிற ஆஸ்திகளுக்கு விபரமான ஜாப்தா தயார்செய்து உம்முடைய கைஎழுத்துடனே அனுப்பிக்கவும்.

அதில் எதாவது ஆக்ஷேபங்களிருக்கிறதும் இல்லாததுங்கண்டு விபரமாய் தெரியப்படுத்தவும். இதில் யெவ்வளவும் தாமதஞ் செய்யக்கூடாது. தாமசப்பட்டால் மேஜிஸ்திரெட்டுக்கு தெரியப்படுத்துகிறதாயிருக்கும்.

1858 ௵ ஜூன் மீ 15 உ. (ஒப்பம்) காதர்சா,
பேட் போலிஸ்.

2nd *December* 1858.

Extract from the Proceedings of the Fouj Daree Udalut under date the 2nd December 1858.

Read Miscellaneous Petition presented on the 18th October 1858 by Anay Vencata Rungaiangar.— Zillah, Trichinopoly.

1. Petitioner appeals from the order of the Sessions Judge under date the 15th July 1858, confirmatory of the Decision of the Principal Suder Ameen, releasing the prisoners in Criminal Case No. 35 of 1858, on the ground that the charge preferred against them has not been brought home to them.

2. The Fouj Daree Udalut observe that as charges of Theft and Riot were preferred, they ought to have been disposed of by the Sessions Judge; but they do not consider it necessary or expedient, now that the case hes been referred to and tried by the inferior tribunal as one of assault, to direct the recommittal of the parties on those charges as prayed.

3. The Court observe, however, that apart from the allegation of
case involved a charge of violent trespass; in the fact that the processi
have been conducted forcibly over ground decided to be within the
the prosecutor's sect only; and that this matter should have been d
the Principal Suder Ameen.

(True Extract)

(Signed) C. F. CHAMIAR,
Ag. Registrar.

(Signed) J. HARRIS,
Civil Judge.

3rd February 1859

லாலுகுடி தாலுகா ஹெட் போலீஸ் காதர் சாயபுக்கு:— ஸ்ரீரங்கத்தில் தென்கலை உத்தமநம்பி அய்யங்கார் இறந்துபோனதாகவும் அவருக்கு நாளது மீ 4 உ ஏகல் யென்கிற சடங்கு நூதனமாய் செய்ய யெத்தனப்பட்டிருப்பதாகவும் அதினால் வடகலையாருக்கும் தென்கலையாருக்கும் கலகம் நடக்க யெத்தனமாயிருக்கிறதாகவும் பலவிதமாய சமாசாரம் தெரியவருகிறது.

கலகத்துக்கு வெகுவரைசியில் செய்யவேண்டியது முக்கியமானதினாலே நீர் அவிடத்துக்குப் போய் அப்படிக்கொத்த கலகத்துக்கு யேதுவான நூதன காரியங்கள் நடவாமலிருக்கும்படியாயும் வழக்கப்படிக்கு யாதொரு சண்டை சச்சரவுக்கு இடமில்லாமலிருக்கும்படியாயும் ஜாக்கிரதை செய்யவும். இதற்காக உம்முடைய இலாகா போலீஸ் அமீனுக்கு உத்திரவு அனுப்பியிருக்கிறோம்.

1859 ௵ பிப்ரவரி மீ 3 உ }
திருச்சிராப்பள்ளி, }

(ஒப்பம்) ———

24th March 1859.

திருச்சிராப்பள்ளிஜில்லா சுக்டின் செஷன் ஜட்ஜி துரையவர்களாகிய ஆர். டி. கிளார்க்துரையவர்கள் முன்பாக 1859 ௵ மார்ச்சு மீ 24 உ யில் நடந்த நடவடிக்கைகளிலிருந்து யெடுத்தெழுதிய டைறி எக்ஸ்டிறக்டு.

1859 ௵ த்திய செஷன் மிஸ்லேனியஸ் பிட்டிஷன் நெ. 14 வதின் மனுதார் உத்தமநம்பி நரசிம்மாசாரியருக்காக வக்கீல் வீராகவையர் நாளது மீ 1 உ யில் கொடுத்த மனுவையும் தஸ்தவேஜுகளையும் மறுபடியும் படிக்கப்பட்டது. அதில் தென்கலை மதஸ்தர்களாகிய மனுதார் முதலான ஸ்ரீரெங்கம் கோவில் ஸ்தலத்தார் ஆசாரிபுருஷாள் திருப்பணிசெய்வார் இவர்கள் வீடுகளில் வயதுசென்றவர்கள் இறந்துபோனால் சாஸ்திரப்படி 13ம் நாள் ஏகல் யென்கிற சடங்கு செய்கிற வழக்கமென்றும் அந்தப்படி ஷை மனுதாருடைய தகப்பன் உத்தமநம்பிஅய்யங்கார் நாளது ஜனவரி மீ த்தில் இறந்துபோய் அவருக்காக ஷை மனுதாரன் வீட்டில் ஷை ஏகல் யென்கிற சடங்கு நடத்த எத்தனப்பட்டதில் லாலுகுடி தாலுகா போலீஸ் அமீன் ஷை சடங்குகளை நடப்பிவிக்கக்கூடாதென்றும் மேஜிஸ்திரட்டியிலிருந்து நாளது மீ 3 உ உத்திரவு வந்திருக்கிறதாகச்சொல்லி தடங்கல் செய்ததாயும் அதைக்குறித்து மேஜிஸ்திரட்டு துரையவர்களிடத்தில் மனு கொடுத்ததில் அவர்கள் வாங்காமலும் ஷை உத்திரவுக்கு நகல் கேட்டால் கொடாமலுமிருக்கிறதாயும் அது கிரமப்பிசகென்றும் ஆகையால் ஷை மேஜிஸ்திரட்டியிலிருக்கிற நடவடிக்கைகளை வரவழைத்துப் பார்வையிட்டு ஷை சடங்கை நிறுத்தும்படி இந்த மனுதாரனுக்கு விரோதமாய் மேஜிஸ்திரட்டார் உத்திரவு செய்திருந்தால் அதை ரத்து செய்யும்படிக்கும் அப்படிக்கில்லாமல் போலீஸ் அமீனவாய் தடுத்திருந்தால் இனி அவர் அப்படிச்செய்யாமல் மாமூல்படி ஷை மனுதார் ஷை சடங்கை நடத்திக்கொள்ளும்படிக்கும் உத்திரவாகவேணுமென்று கண்டிருக்கிறது.

...ர்ட்டு உத்திரவு:—மனுவில் கண்ட சங்கதிகளில் மேஜஸ்திரட்டார் செய்த உத்திரவுகளின் ...வ்விதமான அநேக பிட்டீஷன்களை அடிக்கடி இந்த கோர்ட்டில் குடுபட்டிருக்கிறதென் ... கோறட்டார் முன்னால் செய்திருக்கிற உத்திரவுகளில் கண்டிருக்கிற மூகாந்திரங்களைக் ...டி இதில் பிரவேசிக்கத்தக்கதில்லையென்றும் இதுவிஷயத்தில் இந்தக் கோர்ட்டு ஜட்ஜிகள் ...ருக்கிற உத்திரவுகள் அப்பீல் மேலான கோர்ட்டால் உறுதிசெய்யப்பட்டிருக்கிறதென்றும் ...டி உதத்திரவுகள் முடிவானதாயிருப்பதால் அதுகளை மனுதாரன் பார்த்துக்கொள்ளும்படியாயும் இந்த மனுவை தள்ளுபடி செய்யப்பட்டதென்றும் உத்திரவு.

1859 ஹூ மார்ச்சுமீ 24உ.

25th *February* 1861.

1861 ஹூ த்திய திருச்சிறாப்பள்ளி தாலூகா மேஜஸ்திரேட்டு பேரால் அனுப்பப்பட்ட சன்னது பதிவு டைரிப்பிருக்கு எடுத்தெழுதி வக்விதருக்கட்டு.

ஸ்ரீரெங்கம் தேவஸ்தானம் முதல்தீர்த்த மரியாதை மிராசுதார் ஸ்ரீபெரியநம்பி அய்யங்கார் அருநக்கு எழுதிக்கொண்ட பிட்டிஷனில் தன் தாயாரிறந்து போய்விட்டதாகவும் காளது பிப்ரவரிமீ 29உ தன வீட்டில் சடங்கு நடப்பதில் எதிரி வெங்கட தாத்தாசாரி வகையரு கலகங்களை உண்டாக்கிப் பிரமாதங்களை கொண்டுவந்து விடாமல் மாமூல்படி சகஜமாய்த் தன் வீட்டுச் சடங்கு நடக்கும்படி உத்திரவாகவேணுமென்றும் கண்டிருக்கிறபடியினாலே அந்த பிட்டிஷனை இத்துடனே யனுப்பியிருக்கிறது.

டைசடங்கு நடக்கிறதாய்ச் சொல்லிய தேதிமெத்தசமீபித்திருக்கிறபடியினாலேயும் அதின் மாமூலை விசாரணைசெய்ய இப்பொழுது சவகாசமில்லாமலிருக்கிறபடியினாலேயும் டைபிட்டிஷனை நீர் பார்த்துக்கொண்டு யாதொரு கலகத்திற்கு இடமில்லாமலிருக்கும்படி தகுந்த பந்தோபஸ்து செய்யவும்.

1861 ஹூ பெப்ரவரிமீ 25உ. } வாத்லைகூடஊர் } (ஒப்பம்)————————

25th *November* 1863.

திருச்சிறாப்பள்ளி ஜில்லா ஆமே. எம். ஜே. வால்அவுஸ் துரையவர்கள்.

திருச்சிறாப்பள்ளி தாலூகா 2-வது கிளாஸ் சப் மேஜஸ்திரேட்டு வெங்கிடசாமி நாயக்கருக்கு தாக்கீது.

யெகல் யென்கிற சடங்கு நான் நடப்பிவிப்பதில் வடகலையார் கல்லல் செய்யாமலிருக்கும்படி பந்தோபஸ்து செய்து கொடுக்க ஸ்ரீரெங்கத்திலிருக்கும் ஸ்ரீவேதவியாச வெங்கிட சுதாசன பட்டரும். டைசடங்கு கலகமுள்ளதாகையால் முன் தடைபட்டிருப்பதாயும் இப்போது அது நடக்காமலிருக்கும்படி. உத்திரவு செய்யவேணுமாயும் ரெங்கநாதய்யங்காரும் ஆதாரவுகள் சகிதமாய் குடுத்த பிட்டிஷன். 2. இத்துடன் அனுப்பியிருக்கிறது—சரியாய் விசாரிக்கிறதும் தவிர கலகத்துக்கு ஆஸ்பதமான சடங்கு வழக்கத்துக்கும் முன் உத்திரவுக்கும் விரோதமாய் நடவாமலிருக்கும்படி தகுந்த திருஷ்டி வைக்கிறதும் தவிர கல்லல் சம்பவிக்கும்படியான காரியம் செய்தால் ஜாமின்வாங்கப்படுமென்று கண்டிப்பாய் தாக்கீது செய்யவும். இத்துடன் அனுப்பியிருக்கிற ஆதிரவுகள் பார்த்துக்கொண்டு ஆஜர் செய்தவர்களுக்கு குடுத்துவிடவும்.

1863-ஹூ நவம்பர்மீ 25உ மு. திருச்சிறாப்பள்ளி

(ஒப்பம்) வெங்கிட்டருமணய்யர் மே. ஜ.

22nd June 1883.

In the Court of the Temporary Magistrate Trichi[illegible]

Calender Case No. 30 of 1883.

JUDGMENT.

Name of the accused :—(1) SriVadula Dasika Rengachari (2) Uthamanambi Rengasawmy Iyengar (3) Stanikam Krishnayengar (4) Ayavayangar (5) Annuvayangar (6) Athyapakam Vasuvayengar (7) Athyapakam Thirumurthi Thirumalai Iyengar (8) Thiruvengadathyengar (9) Athyapakam Venkatachari (10) Srinivasa Iyengar (11) Thiruvalur Appengar (12) Ayyakutti Rengasawmy Iyengar (13) SriVadavyasa Alasinga Bhuttur (14) Sri Kadambi Sadagopachariar (15) Ariar Srinivasachari (16) Yemberumanar Sannadi Srinivasayengar (17) Athyapakam Thirumala yengar (18) Athyapakam Srinivasa Iyengar (19) Vedaparayanam Rengayengar (20) Athyapakam Kuppanayengar (21) Athyapakam Sadagopayengar (22) Vedaparayanam Ramanujayengar (23) Venkoba Row (24) Krishnayengar (25) Sripatham Srinivasayengar (26) Josiem Sellamayengar (27) Sekkrapongal Chakkrapany Iyengar (28) Athyapakam Sawmy Iyengar (29) Sadagopayengar.

Offence :—Sections 143, 145, 147, 153, 188, 298, and 504 I. P. C.

Finding :—Not proved.

Sentence :—Discharged under Section 253 C. P. C

Igal is a ceremony which is generally performed on the 13th day after the death of a Vaishnava whether he be a Vadagalai or Tengalai. It is done sometimes inside the houses and sometimes publicly in the streets. When done publicly it took the form of a procession, the relatives and friends of the deceased carrying sugarcanes in their hands and reciting the Prabantham or that portion of it known as "Núttanthathi". In 1858 when the Vadagalai people celebrated this ceremony in the streets of Srirangam, the Tengalais objected and the then Head Assistant Magistrate issued a notice forbidding the Vadagalais from performing this ceremony. This notice was however on the representation of the Vadagalai people soon afterwards cancelled and a second one issued. These notices are not now forthcoming.

In the following year 1859, Uthamanambi Iyengar, a Tengalai Stallattar, having died, his relatives intended celebrating this ceremony ; when the District Magistrate apprehending a breach of the peace sent an order to the Lalgudy Head Police and had the same stopped (Ex. A. dated 3rd February 1859) Uthamanambi Iyengar's relations then appealed to the Sessions Court which refused to interfere (Ex. B and C. dated 24th March 1859). In 1863 Vadavyasa Venkata Sudarsana Bhuttur also a Tengalai Stallattar having died his relations wanted to perform this Igal and the Vadagalais objecting, the District Magistrate sent an order to the 2nd class Magistrate of the Trichinopoly Taluq and had the same stopped (Ex. D. dated 25th November 1863). Since then, neither the Tengalais nor the Vadagalais appear to have celebrated this Igal ceremony in the streets of Srirangam. In May last one Vathula Dasika Rengachariar, also a Tengalai Stallattar, died. On the 13th day

month at about 7 - A. M. the 1st and 2nd witnesses, Rengayengar and Sasha- yengar, two Vadagalai Brahmins, had information that the 1st defendant, the ...er of the deceased, was about to celebrate the Igal and at once complained to ...d witness Kuppusawmy Naidu, the Station house Officer of Srirangam. The ...er took another Head Constable 4th witness Muthusawmy Naik and some Constable with him and went to the Chittra street where the house of the deceased was. In the meanwhile the Igal procession had set out of the house which was in the Eastern Chittra and had gone to the western end of the South Chittra street. The 3rd and 4th witnesses accompained by the 1st and 2nd witnesses and some other Vadagalai Brahmans went up to this procession which consisted of 4 or 5 hundred persons and told the 1st defendant and others that the procession was contrary to the orders produced by the 1st and 2nd witnesses and was objected to by the Vadagalais and that it might cause a breach of the peace. The defendants said that they performed the ceremony according to the custom of their family and that they did not mean to commit any riot. The 1st and 2nd witnesses then commenced to be somewhat noisy. The Police however having now ordered them to leave the place and threatened they would arrest them if they remained there. The Vadagalai people including the 1st and 2nd witnesses left the place and the procession went round the Chittra and Uttra streets and returned to the 1st defendant's house accompanied by the Police.

The 1st and 2nd witnesses now complain that the defendants and others have by thus coming in procession contrary to the orders of the Magistracy and to custom not only disobeyed orders but have also insulted the religious feelings of the Vadagalai people and that they have thereby committed offences under sections 143, 145, 147, 153, 188, 298, and 504 I. P. C.

The chief of these offences i... at under section 188 I. P. C.

The orders which are said to have been diso... are Exhibits A and D and the following is a translation of them.

A.

To.

Kadir Sahib, Head Police, Lalgudy Taluq.

We learn that Uthamanambi Iyengar a Tangalai has died at Srirangam, that preparations have been made to celebrate for him Igal ceremony on the 4th instant and that in consequence a riot is likely to ensue between the Vadagalais and Tengalais.

As prevention of any riot is important you should proceed to the spot and take proper steps so that nothing new calculated to result in a breach of the peace is celebrated and that no breach of the peace or riot takes place as enjoined in the 2nd notice. To this effect orders have also been issued to the Police Amin of your Taluq.

Trichinopoly 3rd February 1859.

(Signed) J. BIRD,
Magistrate.

D.

From,

M. J. WALHOUSE Esquire,
Acting Magistrate.

To,

VENKATASAWMY NAIDU,
2nd Class Magistrate,
Trichinopoly Taluq.

Herewith are sent the 2 petitions with documents presented by Sri Vedavyasa Venkata Sudrsana Bhuttur of Srirangam praying for orders that no breach of the peaceis committed by the Vadagalis in his performing the Igal ceremony and by Renganathyengar stating that the ceremony is one of a breach of peace and requesting orders prohibiting its celebration Make proper enquiries. Take care that no ceremony contrary to custom and previous orders is performed. Warn them that if any act calculated to cause a breach of the peace is committed, security would be taken from them. Return the documents after perusal to the parties that presented them.

25th November 1863, Trichinopoly.

(Signed) M. J. WALHOUSE,
Ag. Magistrate.

It is contended on behalf ... he defend...

1. That these are ... trate to preserve th...

2. ... addressed to the defendants' ancestors or to the community ... ong as they ought to be, if they are orders issued under section ... the corresponding section of the law then in force.

... That there is no evidence to show that these orders were duly promulgated ... published.

4. That these orders from their nature can have only temporary effect and cannot prohibit people permanently from exercising their rights and therefore the defendants are not liable under section 188 I. P. C.

On the side of the Prosecution it was urged that the conduct of the Tengalai people in having refrained from celebrating this Igal ceremony from the dates of these orders clearly shows that they treated them as orders prohibiting the ceremony and consequently they could not now question the legality or formality of these orders.

An order directing any person or class of persons to abstain from doing a certain act in view to prevent a breach of the peace must under the present law be issued under section 145 C. C. P. From a perusal of the section and of the corresponding sections of the old Procedure Code it would appear that this order must be

sed to the person or to thecommunity directed to abstain from doing that it orders now contended to have been disobeyed. viz., A and D are addressed Head Police and to the Sub Magistrate and I therefore think that the defen- cannot be said to have disobeyed those orders and thereby committed an under section 188. I. P. C. in having celebrated this Igal ceremony. It may that it was these orders that actually prevented the Tengalai people from performing this ceremony but at the same time there may havebeen other causes for it as suggested by the defence, viz. want of means &c. Further in my opinion orders like these which are made on the spur of the moment in order to preserve the peace must be temporary and cannot be in force for ever.

The next charge which the prosecution pressed was intentional insult under section 504 I. P. C. This Igal ceremony cannot in itself constitute insult. It was admitted by the prosecution that the Vadagalai people have been celeberating this ceremony in the streets of Srirangam until the year 1858, when they were prevented by the Tengalais and that when they performed it they recited the very same Nuttanthathi which the defendants recited on the present occasion. It was also admitted by the prosecution witnesses that when Ranganadaswamy and Alwars were carried in procession around the streets, this Núttanthathi was recited but along with other portions of the Prabhandam Thus neither the procession nor the recital of the Nuttanthathi can be said to be insult.

The prosecution wanted to make out that the procession which was contrary to these orders and contrary to Mamool, and which the Vadagalai people were not allowed, having gone through the streets attended with music, elephants &c. in a triumphant and insolent manner it was insulting to the feelings of the Vadagalai sect, but I fail to see how this could be.

These orders as I have already observed are not such as will bind the defendants. As regards want of mamool which tantamounts to saying that the defentants have no right to celebrate this ceremony in this manner, the prosecution has totally failed to prove. The fact of the defendants not having peformed this ceremony for some years does not of course prove that they have not the right. People may have a right but not exercise it; simply because it was not exercised it could not be argued they had no right or that it is not Mamool. Again there is nothing to show that the Tengalai people prevented Vadagalais from performing this cereony for these 20 years or so. It is true they opposed it in 1858 but the order which was issued at their instance prohibiting the Vadagalais from performing this ceremony was soon afterwards withdrawn. The Prosecution counsel urges that it was the apprehension of similar opposition from the Tengalais, that prevented the Vadagalais while the prosecution witnesses 1 & 2 would not admit this. They say that their omission to perform this Igal was due to other causes. But even supposing they had been prevented by the Tengalais they must I think go to a Civil Court for redress.

Since the procession does not constitute offences under these 2 sections the charges under the other sections must as a matter of course fall to the ground.

I therefore find that no offence is proved against the defendants and discharge them under section 253 C. P. C.

22nd June 1883. (Signed) R. KANDASAWMI,

Temporary Deputy Magistrate.

In the High Court of Judicature at Madras

Tuesday the 11th September 1883.

PRESENT.—The Honorable Sir Charles Turner, Knight C. I. E. *Chie*

Criminal Revision Case 621 of 1883.

Renga Iyengar ... ... Petitioner.

(Criminal Revision Petition 109 of 1883.)

Petition under Sections 435, 439, Criminal Procedure Code praying the High Court to revise the decision passed by the Temporary Deputy Magistrate of Trichinopoly in Calender case No. 30 of 1883 on his file.

This case coming on for hearing, upon perusing the petition and the order of the Temporary Deputy Magistrate, and upon hearing the arguments of Mr. Willie Grant, Counsel, the Court made the following

Order:—There is nothing contrary to law in the decision passed by the Lower-Court. It is therefore ordered that this petition be and the same hereby is dismissed by the Court.

(Signed) W. MORGAN,
Deputy Registrar.

(True Copy)

(Signed) JONES,
Deputy Collector.

1st May 1863.

From
M. J. WALHOUSE Esqr.
Acting Magistrate,
Trichinopoly.

To,
VENKATASAWMY NAIK,
2nd Class Magistrate,
Trichinopoly.

The Arzee dated 29th Instant submitted to Hoozoor by Stree Parasara Bhutter *alias* Soodarsana Bhutter, Manager of Srirangam Davestanam, stating that the Vadagalais have through Sashayengar and others, servants of Nadamuni Alwar Covil which is within the Renganathaswamy Pagoda, caused a Vadagalai mark to be painted newly on the entrance of the said Nadamuni Alwar Covil with Kavi or burnt red earth and attempted to create a disturbance, and the copy of a Sunnud sent with Arzee of Mr. Blair dated 21st November 1835, are herewith sent.

With regard to the allegation that a Vadagalai mark was set up contrary to mamool and former orders, you are directed to go to the spot and personally inspect it. If it (Vadagalai mark) had been newly put, you are to cause it to be removed immediately by the persons by whom it was set up and to inform them strictly that they should not do such new acts likely to cause disturbance and report the same to us.

Trichinopoly.
1st *May* 1863.

(Signed) M. J. WALHOUSE,
Ag. Magistrate.

1st *June* 1863. நெ. 113.

திருச்சிறாப்பள்ளி ஜில்லா டிப்டி மாஜிஸ்திரேட்டு தி. சுந்தரம்பிள்ளையவர்கள்.

திருச்சிறாப்பள்ளி தாலூக்கா சிக்கன்டுகிளாசு சபார்டிநேட்டு மாஜிஸ்திரேட்டு வெங்கிடசாமி நாயக்கருக்கு தாக்கீது.

ஸ்ரீரங்கத்தில் ஸ்ரீரங்கநாத சுவாமி கோவிலுக்குள்ளிருக்கிற நாதமுனி ஆழ்வார் கோவில் வாசலில் மாமூலுக்கு விரோதமாகவும் நூதனமாகவும் வடகலை திருமண அடையாளத்தை வைத்திருக்கிறதாக தென்கலையாரும் அந்தத் திருமண் நெடுநாளாயிருக்கப்பட்டதென்று வடகலையாரும் விவாதப்படுகிற சங்கதியைப்பற்றியும் இவ்விஷயத்தில் மாஜிஸ்திரேட்டு துரையவர்களால் உமக்கு அனுப்புவிக்கப்பட்டிருக்கிற உத்தரவுக்கு ஜவாபாகவும் நீர் எழுதிய மே மீ 22 உ யுள்ள இரண்டு அர்ஜிகளும் வந்தது.

(Translation)

1st *June* 1863.

Takeed, No. 113, sent by T. Sundram Pillay Avergal, Deputy Magistrate, Trichinopoly to Venkatasami Naiken, 2nd class Subordinate Magistrate, Trichinopoly Taluk.

Received your two Arzis dated 22nd May the one a report about the matter of dispute between the Tengalais and Vadagalais regarding a Vadagalai Thiruman mark in front of the Nathamuni Alwar Covil within the temple of Sri Renganatha Swami in Srirangam, which, the Tenkalais assert, is placed there newly and contrary to long established custom, but which the Vadagalais assert has been there from time immemorable; and the other your reply to the Magistrate's order sent to you by him in respect of the said dispute.

ஷை திருமண் நெடுநாளாயிருக்கப்பட்டதென்று வடகலையார்பக்கம் சாக்ஷிகள் சொல்லியிருக்கிறதுக்கு நம்பத்தகுந்ததாயிருக்கவில்லையென்றும் நூதனமென்று தென்கலையார்பக்கம் சாக்ஷிகள் சொல்லியிருக்கிறபடி ஷை திருமண் புதுசாகவே காவியினாலே போடப்பட்டிருக்கிறதாகவும் ஷை ஜாகாவை பார்வையிட்ட நீர் சொல்லுவதினாலே அப்படிப் புதுசாப் போடப்பட்டிருக்கிற ஷை வடகலைத் திருமணை மாஜிஸ்திரேட்டு துரையவர்களால் உமக்கு அனுப்புவிக்கப்பட்டிருக்கிற மே ஸ்ரீ 1 ௳யுள்ள 23 வது நெ. உத்திரவுப்படி அவர்களைக்கொண்டு எடுப்பிவித்துப்போடுகிறதும்தவிர கலகத்துக்கு ஆஸ்பதமாய் இனி நூதனமான காரியத்தைச் செய்யக்கூடாதென்று கண்டிப்பாய் அறிவித்தும் இட்டம் செய்யவும்.

1863 ஹு ஜுன் ஸ்ரீ 1௳ } (ஒப்பம்)
திருச்சிறாப்பள்ளி. } தி. சுந்திரம்பிள்ளை,

டிப்டி மாஜிஸ்திரேட்டு.

3rd July 1863. நெ. 138.

திருச்சிறாப்பள்ளிஜில்லா டிப்டி மாஜிஸ்திரேட்டு தி. சுந்திரம்பிள்ளையவர்கள்.

திருச்சிறாப்பள்ளி தாலூகா 2வது கிளாசு சபார்டினேட்டு மாஜிஸ்திரேட்டு வெங்கிடசாமி நாயக்கருக்கு தாக்கீது.

ஸ்ரீரங்கம் நாதமுனி ஆழ்வார் கோவில் வாசலில் நூதனமாய் வைக்கப்பட்டிருக்கிற திருமணை உத்திரவுப்படி எடுத்துப்போடவேண்டியதைக்குறித்து ஷை கோவிலுக்கு பாத்தியஸ்தர்களான நாதமுனி ரெகுநாதய்யங்கார் வகையறாப்பேர்களுக்கு சம்மன் அனுப்பி ஆஜரான ஷை ரெகுநாதய்யங்கார் 1. ரெங்கய்யங்கார் 1. இந்த இருவர்களுக்கு தெரியப்படுத்தினதில் ஷை திருமண் வகையறாவைப்பற்றி அனரில்லாத மற்றொரு ஸ்ரீநிவாசய்யங்கார் வகையறாப்பேர்கள் கோனாடு வகையறா முன்சிப் கோர்ட்டில் வழக்கு செய்து தங்களுக்கு அறிக்கை வந்திருப்பதால் ஷை திருமணை தாங்கள் எடுக்கக்கூடாதென்று சொல்லுகிறதாய் அவர்களிடத்தில் வாங்கின வாக்குமூலங்களுடன் நீர் எழுதிய சென்ற ஜுன் ஸ்ரீ 25௳ யுள்ள 249வது நெ. அர்ஜி வந்தது.

இதைப்பற்றி கோர்ட்டில் வியாச்சியம் செய்திருப்பதாகச் சொல்லப்பட்டது நிஜமாக இருந்தபட்சத்தில் அதைக்குறித்து கோர்ட்டிலிருந்து யேதாவது உத்திரவு வந்திருக்கவேணும், அப்படிக்கில்லை. ஷை பேர்வழிகளாவது கோர்ட்டு எக்ஸ்திரா

As we learn from the report made by you on a personal inspection of the locality that the evidence of the witnesses of the Vadagalais that the said Vadagalai Thiruman has been there for a long time past is unworthy of credit, and that in accordance with the evidence of the witnesses of the Tenkalais the said Thiruman seems to have been newly placed there by Kavi, you are hereby directed, in pursuance of the Collector's order sent to you dated 1st May and No. 23, to get the said newly placed Vadagalai Thiruman removed by the Vadagalais themselves. Further you are to warn them strictly that they should not in future do any such new acts tending to create a breach of the public peace.

1st June 1863, } (Signed)
TRICHINOPOLY. } T. Sundram Pillay,

Dy. Magistrate.

(Translation)

3rd July 1863.

Takeed No. 138 sent by T. Sundram Pillai, Deputy Magistrate, Trichinopoly District, to Venkatasami Naiken, 2nd class Subordinate Magistrate, Trichinopoly Taluk.

Received your Arzi No. 249, dated 25th June, stating that in pursuance of the summons sent to Nathamuny Regunatha Iyengar and others, who are entitled to the Nathamuni Alwar Temple in Srirangam to appear before you that they might be informed of the order issued to them to remove the newly placed Vadagalai Namum in front of their temple, the said Regunatha Iyengar and another Renga Iyengar both appeared before you, and that when they were informed of the said order, they have deposed before you that they could not then remove it by themselves as one Srinivasa Iyengar and some others have sued in the District Munsif's Court at Konad in respect of the matter and that they have received summons. Received also those depositions sent along with the said Arzi.

If it be true that any civil suit has been instituted in this matter, the Civil Court would have issued some notice or order.

க்ட்டு வாங்கி தாகல் செய்திருக்கலாம். அப்படிக் கும் காணும். ஆனதினலே நூதனமாக வைக்கப் பட்டிருக்கிற வட. நாமத்தினலே கலகமுண்டாகு மென்று சம்புதலுண்டாயிருந்தபட்சத்தில் மேஜிஸ்திரேட்டு துரை அவர்களுடைய உத்திரவின் தாற்பரியத்தை அனுசரித்து கலகம் நேரிடாமலிருக்கும்பொருட்டு வட. திருமணை சர்க்கார் திரப்பில் உடனே எடுப்பிவித்துப்போடவும்.

1863ௗ ஜூலைமீ 3வ.
திருச்சிறுப்பள்ளி.
(ஒப்பம்)
தி. சுந்திரம்பிள்ளை,
டிப்டி மாஜிஸ்திரேட்டு.

There is no such thing. These persons, at least, might have obtained extracts and filed them here; and they too have not done any thing of the sort. Therefore if it is likely that a breach of the peace would occur by the existence of the newly placed Namum there, you should at once get the said Namum removed at the expense of Government in order that a breach of the peace may not take place, in accordance with the Collector's order to you issued in this matter.

3rd July 1863,
TRICHINOPOLY.
(Signed)
T. Sundram Pillay,
Dy. Magistrate.

30th July 1863.

Extract from the Proceedings of the Sessions Court of Trichinopoly under date 30th July 1863.

PRESENT.—P. J. P. HARRIS ESQUIRE,
Sessions Judge.

M. P. No. 13 of 1863. Read petition presented on the 20th July 1863 by Mr. J. F. Mortin, Vakeel for Nadamuny Rungaiyangar stating that a Pagoda called Nadamuny Alwar situated within Srirungam belongs to petitioner and others which they can dispose of as other property, that the God or Idol &c. therein placed and the walls surrounding it and other conspicuous places bear marks called Vadagalai Namum as the petitioner uses to put in his forehead, that while so one Sudarasana Bhatter, who is an inveterate enemy to the petitioner and who asserts to be a manager, presented a complaint to the Collector stating that a Vadagalai Namum was newly put in the outer wall of the said Nadamuny Alwar Kovil which would cause disturbance, that the Collector without taking into consideration the several orders passed by the Fouzdary Court and Court of Directors issued an order to the Taluq Magistrate directing him to take away the said Terooman if it were a new one and subject to disturbance, that thereupon petitioner has satisfactorily proved by his witnesses that the Terooman was not recently put but it exists from time immemorial whereas the complainant's witnesses did not prove the matter satisfactorily, that while so the Taluq Magistrate submitted an Arzee to the effect that the Terooman was newly affixed and that it should be taken away, that the District Magistrate has accordingly issued an order for the removal of the said Tirooman and it was accordingly done without giving information to the petitioner, that if such disturbances have been caused the circumstances of which ought to have been brought to light by the Police officers which is not the case nor did the prosecutors witnesses depose to the said matter, that that Vadagalai Namum is put down within and without the walls of the said Alwar Kovil whereas the reasons set forth by the Taluq Magistrate that the Namum put on the outside of the walls is calculated to cause a breach of the peace and that the one used inside of the walls is not subject to disturbance will appear to the Court useless, that he is ready to produce document at the time of hearing the matter in support of it.

Requests therefore the Court will on taking into consideration the foregoing circumstances order the said Namum to be replaced and to direct the prosecutor to establish his claim by a Civil suit.

Order of the Court.—The Court sees no reason at all for interfering in the matter; the magistracy is the proper party to adopt such steps as he may think proper for preventing a breach of the peace and the Sessions Judge is unable to interfere with any such orders.

30th July 1863. (Signed) P. J. P. HARRIS,
Sessions Judge.

16th November 1863.

To

The Judges of the High Court at Madras.

The humble petition of Nathamuny Renga Iyengar, a resident of Srirangam in the Zillah of Trichinopoly presented by his duly constituted Vakil V. Rajagopala Chariar.

RESPECTFULLY SHEWETH.

That your petitioner submits herewith Extract from the Proceedings of the Sessions Court of Trichinopoly under date the 30th July 1863, confirming the orders of the Magistrate under dates the 1st June and 3rd July 1863, and begs to appeal therefrom under section 404 of the Code of Criminal Procedure on the following among other grounds.

1. The Magistrate had no jurisdiction in entertaining the complaint in question.

2. The Sessions Judge ought to have corrected the error committed by the Magistrate, which, however, he has not done.

3. The Pagoda in question is the private property of your petitioner.

4. The right of your petitioner is based upon numerous orders of Magistrates and decisions of Courts.

5. The Magistrate has enforced his order in spite of your petitioner's request for suspension thereof pending the disposal of the civil suit already instituted.

6. There has been no breach of the peace actually committed.

20th October 1863. (Signed) V. RAJAGOPALA CHARI,
Vakeel.

(True copy.)
(Signed)————————
Deputy Registrar.

Proceedings of the High Court of Judicature at Madras 16th November 1863.

The following petitions were rejected.

* * * *

Criminal Petition No. 124 of 1863.

(True extract)
(Signed)————————
Deputy Registrar.

Jth October 1863

Calender of persons tried before W. Nisbet Esq. Head Assistant Magistrate of Trichinopoly.

COLUMN I. *Number of the Case*—89.

II. *Names of the accused*—1. Regunatha Iyengar
2. Venkatachalachari
3 Renga Iyengar

III. *Copy of the charge or substance of the complaint*:— That at Srirangam in Trichinopoly Taluq, on the night of the 22nd August 1863, prisoners did put up a stone bearing the Vadagalai mark over the entrance of the Nathamuny Alwar covil, the putting up of such Vadagalai mark having always been strictly forbidden both by the recent order of the Deputy Magistrate, T. Sundram Pillay, dated 1st June 1863, and numerous previous orders, and that prisoners have thereby committed an offence punishable under Section 188 of the Penal Code and within the cognizance of the Magistracy.

IV. *Name of the complainant*— Tiruventhapuram Kristnamachariar, Vakil on behalf of the Srirangam Dharmakarthas.

V. *Names of the witnesses for the prosecution*—None.

VI. *Names of the witnesses for the defence*—None.

VII. *Summary of facts proved or confessed*.— Prosecutor, Vakil on behalf of the Srirangam Dharmakarthas, states that prisoners in defiance of the late order of the Deputy Magistrate, and of numerous previous orders, set up on the night of the 22nd August last a fresh stone bearing the Vadagalai mark. As the setting up of such Vadagalai marks have been repeatedly prohibited as being contrary to the rights and privileges of the Tenkalai sect and tending to provoke a breach of the peace, prosecutor requests that prisoners may be punished and ordered immediately to remove the mark complained of. Prisoners admit the existence of the mark complained of, but plead that it is of old standing.

Against prisoners' plea that the mark is of old standing, we have the statement of the prosecutor, the Vakil of the Dharmakarthas of the Pagoda. We have also the written reports of the village Munsif of Srirangam, the Tahsildar of Trichinopoly, and the Dharmakarthas of the pagoda stating that the mark was newly put up on the 22nd August last. The Head Assistant Magistrate also visited Srirangam on the 29th October and inspected the mark complained of, and though of course it is impossible to decide upon mere inspection, yet the mark certainly appeared as if cut in the stone at no very remote period. The putting up of such Vadagalai marks within the seven walls of Srirangam has been repeatedly and most strictly forbidden in numerous orders from the date of the decree of the Provincial Court in O. S., No, 130 of 1808 and Mr. Blair's order dated 21st November 1835 up to the present time. In May last the Tahsildar of Trichinopoly referred to the Deputy Magistrate in charge of the Head Assistant's Division a charge against the present prisoners for painting a Vadagalai mark on the wall of the same pagoda and only a few feet from the site of the present mark. In that enquiry the same style of defence was set up, viz., that the mark complained of was of old standing. On a con-

sideration of the evidence on both sides, both the Deputy Magistrate and the Tahsildar were of opinion that the mark was a new one. In that case no mention was made of the present mark. The existence of the mark at all is in direct and wilful contravention of repeated official orders and decrees on the subject. Under these circumstances, as the Court has no reasonable doubt that the said Vadagalai mark has been put up recently and in defiance of the Deputy Magistrate's order, any evidence for the defence appears unnecessary. As the feud between the Tenkalai and Vadakalai sect is most bitter and of very old standing, the only way of preventing a breach of the peace is to punish severely any contravention of the orders issued by the Magistracy for regulating the rights &c., of the two rival sects within the precincts of Srirangam. The Deputy Magistrate's order appears to have been wilfully disobeyed and as prisoners are the representatives of a wealthy though not very numerous faction, it appears advisable to punish them with the utmost rigor of the law.

VIII. *Finding and Sentence*—"Guilty"—1st and 2nd prisoners appear to have acted under the orders of the third prisoner who is the Headman of the Nathamuni Alwar covil, they have therefore been warned and released. 3rd prisoner sntenced to pay a fine of Rs 1000 or to undergo rigorous imprisonment for 6 months under section 188, Penal Code.

IX. *Date of offence*—22nd August 1863.

X. *Date of complaint*—23rd August 1863.

XI. *Date of apprehension or appearance*—30th October 1863.

XII. *Date of commencement of trial*—30th October 1863.

XIII. *Date of Sentence*—30th October 1863.

XIV. *Explanation of delay*—Nil.

(Signed) . W. NISBET,
Head Assistant Magistrate.

5th December 1863.

Extract from the Proceedings of the Sessions Court of Trichinopoly under date 5th December 1863.

PRESENT.—T. I. P. HARRIS ESQUIRE.
Sessions Judge.

1. M. P. No. 30 of 1863. Read Appeal petition preferred by Streenivasachari. Pleader, on behalf of Nadamuni Renga Iyengar, 3rd Prisoner in Criminal Case No. 89 of 1863, complaining of the Head Assistant Magistrate having imposed a fine of 1000 rupees upon petitioner, and requesting that the order passed by the said officer may be reversed and the fine remitted.

2. In this case the cause of the petitioner was pleaded in person by W. Stokes Esq., and A. M. Ritchie Esq. was heard in reply.

3. The Sessions Judge on a mature consideration of all the circumstances of the case is precluded from interfering in the matter.

4. The order complained against was passed by Mr. Nisbet in his official capacity as Magistrate for the preservation of the peace in the large and populous town of Srirangam, he being satisfied from the reports made by the subordinate authorities, and from a personal inspection of the locality, that the petitioner had committed an act which would in every probability endanger the peace of the place.

5. It is to be observed that this act of the petitioner was perpetrated whilst a reference in the very matter was still pending before the High Court and in open defiance of orders already passed by the Deputy Magistrate, which warned the petitioner against introducing innovation in the Pagoda in question likely to create a breach of the peace, and although the fine imposed is a heavy one, the Sessions Judge is of opinion that the petitioner justly merits the imposition thereof for wilfully disobeying and acting in deliberate defiance of the orders of the Magistracy.

6. The Sessions Judge therefore sees no reason whatever for reversing the order passed or remitting the fine, the more so as he has already refused to interfere in a matter of like nature on Petitioner's complaining of the proceedings of the Deputy Magistrate prohibiting petitioner from affixing a mark in the said pagoda.

(Signed) T. I. P. HARRIS,
Sessions Judge.

21st July 1864

In the High Court of Judicature at Madras

Thursday the 21st July 1864.

Present.—The Honorable Mr. Justice Frere
and The Honorable Mr. Justice Holloway.

Criminal Petition No 20 of 1864.

Nadamuni Ranga Iyengar ... ... Petitioner.
Sudarisana Bhuttur *alias* Sri Parasara Bhuttur, Counter petitioner.

Application under S. 404 of the Code of Criminal Procedure for revision of the sentence of the Head Assistant Magistrate of Trichinopoly in Case No. 89 of 1863 on his file.

This application coming on for final hearing, the Court upon perusing the application and the record sent up by the Magistrate, and upon hearing the arguments of W. Stokes Esquire, Counsel, and T. Srinivasa Chari, Vakil for petitioner, and of Alexander M. Ritchie Esquire and S. Tirumalachari, Vakils for counter petitioner, delivered the following judgment:—

Judgment.—This is an application to the Court to quash a sentence passed by the Head Assistant Magistrate of Trichinopoly and confirmed by the Sessions Judge. The ground was that the sentence of fine of Rs 1000, passed under S. 188 of the Penal Code for setting up a Vadagalai Mark in the important pagoda of Srirangam contrary to the Magisterial order, was contrary to law, because there was literally *no evidence* that the prisoner had committed the offence.

2. As the calender of the Head Assistant Magistrate set out no evidence, whatever, that the act had been done by the prisoner we considered it necessary to call for a translation of the record which has now been laid before us.

3. To avoid all misapprehension, we think it necessary to state that the act, if committed, would, in our opinion, clearly fall within the provisions of S. 188. The order of the Magistrate was merely a reiteration of orders which have been in force for a period of many years forbidding the setting up of Vadagalai Marks in this pagoda. We are quite unable to assent to the arguments of the appellant's Counsel that the setting up of such a mark is only a reasonable exercise of liberty. The act, in the place in which it was done, precisely resembles the act of a zealous protestant who should be rash or wicked enough to scrawl "no popery" in a Roman Catholic church, situate in the midst of the excitable and not highly instructed population of an Irish country. There could be no question of the tendency of such an act to create a riot or affray. Even therefore if such a question would be open to us, we should come unhesitatingly to the conclusion that the tendency is clearly made out.

4. We should also not think the punishment at all excessive for the commission of so wanton an act.

5. We make these observations to prevent the slightest possibility of the appellant imagining that we either consider the act done in violation of the Magistrate's order legal or that the result of this application warrants the sect to which the appellant belongs in setting up such a mark.

6. We have, however, read the proceedings in this case with great surprise and dissatisfaction. The person convicted has actually not been tried at all. No evidence whatever has been taken that he either committed this act or caused others to commit it. All the evidence consists of the opinion of the Head Assistant Magistrate upon inspecting the mark. He states that it is impossible for him to decide upon inspection and he then determines the point by reference to evidence taken in another case, that it was a recent mark, that any evidence for the defence is unnecessary, and that as their factions are very bitter, a severe punishment is necessary. It is almost incredible that any Magistrate, how inexperienced soever, could thus convict and punish a man without any trial at all, that he should consider the mere fact of a certain act having been done sufficient without a scintilla of evidence to fix its commission upon a particular person, and that when about to inflict an exemplary punishment, he should consider the hearing of the prisoner's evidence needless.

7. The matter however assumes a much more serious aspect when a sentence so passed is found to have been confirmed by a Sessions Judge, who has been many years upon the bench. It would naturally be supposed that so mere a mockery of justice would have at once attracted his attention, that he would have passed a well deserved censure upon such proceedings, and have remedied the illegality committed. He has done none of these things, but by sanctioning proceedings of the character described, has either wholly misconceived or entirely neglected the important duties devolving upon him. As the sentence in a case which has never been tried is wholly illegal, it is unnecessary precisely to define the want of evidence which will render it necessary as a question of law, to quash a sentence against which there is no appeal upon the fact.

8. It is accordingly ordered that the decision of the Head Assistant Magistrate be, and the same hereby is, reversed and that the fine, if levied, be returned to the defendant.

(By the Court)
(Signed) P. P. HUTHCINS,
Ag. Registrar, Appellate Side.

(First Isthiar by Mr. J. B. Pennington.

19th Docembr 1873

ஸ்ரீரங்கம் சப்தப்பிரகாரத்துக்குள் வடகலை நாமம் வைக்கக்கூடாதென்றும் வடகலை நாமமுள்ள விக்கிரகங்களை பேனப்பண்ணக்கூடாதென்றும் இந்த உத்திரவுக்கு விரோதமாய் நடப்பவர்கள் இ. பி. கோட் 188வது பிரிவுப்படிக்கு குற்றத்திற்கு விசாரணைக்குக் கொண்டுவரப்படுவார்களென்றும் கிறிமினல் புரொசிடர் கோட் 518 பிரிவுப்படி டிஸ்திரிக்ட் மாஜிஸ்திரேட்டார் அவர்கள் இதினால் உத்திரவு செய்கிறார்கள்.

1873 வரு டிசம்பர்-மீ 19 உ

(ஒப்பம்) ஜெ. பி. பென்னிங்குட்டன்,

ஆ. டி. மாஜிஸ்திரேட்

19th December 1873.

Under section 518 of C.C.P. the Acting District Magistrate hereby directs that no Vadagalai mark is to be erected and no idol with the Vadagalai marks taken in procession within the limits of the Srirangam Sapthaprakaram under penalty of prosecution under S. 188 of the Indian Penal Code.

Trichinopoly, }
19th December 1873. }

(Signed) J. B. PENNINGTON,
Ag. Dt. Magistrate.

(Signed) TILLANAYAGAM PILLAI,
Tahsildar.

(Second Isthiar by Mr. Pennington.)

6th January 1874

1874 வரு ஜனவரிமீ 6உ திருச்சிராப்பள்ளி டி. மாஜிஸ்திரேட்டார் முன்பாக நடந்த நடவடிக்கைகள்.

ஸ்ரீரங்கம் வடகலையார் வக்கீல் ஆர். குப்புசாமி அய்யங்கார் கொடுத்த பிட்டிஷனும் அதிலடக்கம்பண்ண தஸ்தவேசுகளும் வாசிக்கப்பட்டன.

1864 வரு த்திய 20 நெ. கிரிமினல் பிட்டிஷனில் ஜூலைமீ 21உ ஹைகோர்ட்டார் கொடுத்த தீர்மானத்தின் நகலும் ஸ்ரீரங்கம் தென்கலை பிராமணர் வக்கீல் ராமராவு 1846 வரு ஜூன்மீ 8உ புள்ள பௌஜுதாரி அதாலட் கோர்ட்டின் நடவடிக்கையிலிருந்து எடுத்த எக்ஸ்திராக்டும் வாசிக்கப்பட்டன.

1873 வரு டிசம்பர்மீ 19உ கிரிமினல் பு. கோடு 518 பிரிவுப்படி டி. மாஜிஸ்திரேட்டார் மறுபடி [illegible] கொடுத்த உத்திரவு வாசிக்கப்பட்டது.

இந்தப்பிரதியில் இரண்டு கட்சிக்காரர்களும் சொல்லிய சங்கதிகளை நன்றாய் யோசித்துப்பார்ப்பதில் ஒவ்வொரு கட்சிக்காரரும் இன்ன இன்ன செய்ய வேணுமென்று பிரித்துச்சொல்லுவது எனக்கு யுக்தமாகத் தோற்றவில்லை. இதினால் அறிவிக்கிறதென்னவென்றால் வழக்கத்துக்கு அல்லது கோர்ட்டார் தீர்ப்புக்கு விரோதமாய் நடப்பவர்களை தெண்டிக்கப்படும். ஆகையால் 1873 வரு டிசம்பர்மீ 19 உ யில் மாஜிஸ்திரேட்டாரால் உத்திரவைப்பெற்று வடகலையார் ஆட்சேபிக்கிறபடியால் இதை ரத்துசெய்து அடியில் கண்டிருக்கிற உத்திரவு செயப்பட்டது. அதினால் அறிவிக்கிறது யாதெனில்,

6th January 1874.

Proceedings of the Ag. District Magistrate of Trichinopoly under date the 6th day of January 1874.

Read Petition presented by R. Cuppoosami Aiyengar Vakeel for the Vadagalai Brahmins at Srirangam with its enclosures.

Read also a copy of judgment of the High Court dated 21st July 1864 in Criminal petition No. 20 of 1864 and extract from the Proceedings of the Foujdaree Udalut dated 8th June 1846 put in by Rama Row Vakeel for the Thengalai Brahmins of Srirangam.

Read again District Magistrate's order under section 518 C. C. P. dated 19th December 1873.

On reconsideration of the whole subject referred to by the parties in this dispute it seems to be advisable not to attempt to define in any way what either party is entitled to do; but to notify instead that nothing is to be done contrary to custom or the order of any Court under pain of prosecution.

The order of the Court dated 19th December 1873 which the Vadagalai party complain of will therefore be withdrawn and the following notification will be substituted.

1. It is hereby notified that if the partison of any sect attempts to set up any mark within the limits of Srirangam Sapthapra-

இரண்டு கட்சிக்காரர்களும் ஸ்ரீரங்கம் சப்தப்பிராகாரத்துக்குள் அநேககாலமாய் அநுசரிக்கப்பட்ட வழக்கத்துக்கு அல்லது கோர்ட்டாருடைய உத்திரவுக்கு விரோதமாக காமத்தைப் போட்டாலாவது வேறுகாரியங்களைச் செய்தாலாவது பினல்கோடு 504 பிரிவுப்படி சார்ஜு செய்யப்பட்டு ருசுவானால் அதிக கடினமாக தெண்டிக்கப்படுவான். இவ்விதமாய் யாதாமொருவன் குற்றம் செய்தால் ஷை செக்ஷன் பிரகாரம் மற்றொரு கட்சிக்காரர் மாஜிஸ்திரேட்டாரிடத்தில் பிராது கொடுக்கவேண்டியதேதவிர தான் ஏது சரியெனறு நினைக்கிறானோ அப்படி செய்ய பலவந்தம் செய்யக்கூடாது. அப்படிச் செய்தால் கலகமென்கிற குற்றமாகிறபடியினால் அதற்கென்ன சிட்சையோ அதை அடைவான்.

(ஒப்பம்) ஜெ. பி. பெனிங்டன்.

7th January 1874

திருச்சிராப்பள்ளி ஜில்லா மாஜிஸ்திரேட்டாரவர்கள் சமுகத்துக்கு

வாதிகள்

திருச்சிராப்பள்ளி தாலூக்கா ஸ்ரீரெங்கத்திலிருக்கும் ஸ்தலத்தார் ஸ்ரீரெங்க நாராயண ஐயர் 1
ஸ்ரீ வேதவியாச வெங்கிட்டபட்டர் 2
ஸ்ரீ வாதுலதேசிகரெங்காசாரியார் 3
ஸ்ரீ பராசரபட்டரென்கிற ஸ்ரீ சுதரிசனபட்டர் 4
ஸ்ரீ உத்தமநம்பி அய்யங்கார் 5

பிரதிவாதிகள்

ஷை யூரிலிருக்கும் கோடியாலம் ரெங்கசாமியய்யங்கார் 1
சேஷகிரியய்யங்கார் 2
கிருஷ்ணய்யங்கார் 3
ராமசுவாமியய்யங்கார் 4
தொரைசாமி அய்யங்கார் 5
மன்னார்கோவில் கஸ்தூரி அய்யங்கார் 6
புலியூர் நாராயணய்யங்கார் 7
ரெகுநாதய்யங்கார் 8
மன்னார்கோவில் ஸ்ரீநிவாசய்யங்கார் 9
கிருஷ்ணசாமியய்யங்கார் 10
சுந்தரமய்யங்கார் 11
வேதாந்தமய்யங்கார் 12

வாதிகள் பிரதிவாதிகள்பேரில் செய்கிற பிராது.

1874 ஹு ஜனவரி ஸ்ரீ 6-உ யாகிய நேத்திய தினம் ஸ்ரீரெங்கநாத சுவாமியாருக்கு நடக்கிற கொ

karam or to do any act contrary to immemorial custom or to any order of the Courts he will render himself liable to prosecution under section 504 of the Penal Code and will on conviction be most severely dealt with.

2. Any party agrieved by such illegal act is therefore directed to lay a charge under that section and not on any account to interfere personally or to attempt to enforce his supposed rights by violence as any such attempt will amount to the offence of rioting and will be dealt with accordingly.

(Signed) J. B. PENNINGTON,
6th January 1874 *Ag. Magistrate*

7th January 1874.

Complaint in C. C. No. 9 of 1874.
On the file of the District Magistrate Trichinopoly

To

The District Magistrate of Trichinopoly.

Complainants

1. Sri Ranganarayana Jyer.
2. Sri Vadaviyasa Butter *alias* Venkatta Buttur.
3. Sri Vaduladasika Rangacharriar.
4. Sri Parasara Buttur *alias* Sri Sudarisana Buttur
5. Sri Uttamanamby Jyengar

residing at Srirangam, Trichinopoly Taluq.

Defendants

1. Rangasawmi Aiyengar.
2. Seshagiri Aiyengar.
3. Krishna Aiyengar.
4. Ramaswami Aiyengar.
5. Dorasawmi Aiyengar.
6. Mannar covil Kustoori Ranga Aiyengar.
7. Puliyur Narayana Aiyengar.
8. Ragoonada Aiyengar.
9. Mannar covil Srinivasa Aiyengar.
10. Krishnasawmi Aiyengar.
11. Sundaramaiyengar.
12. Vadanta Aiyengar.

The humble complaint of the above mentioned Stalathars.

MOST RESPECTFULLY SHEWETH—

That on the 6th January 1874, viz., the

ட்டகை உச்சவம் 8ம் திருநாள் இராத்திரி 7 மணிக்குமேல் ஜில்கா கோறட்டு 1808-ஸ்ரீ 130-வது நெ. தீர்ப்புக்கும் மேஜஸ்திரேட்டாரவர்கள் உத்திரவுக்கும் மேலேயும் இந்த தேவஸ்தானத்தில் நடந்துவருகிற வழக்கத்துக்கும் விரோதமாய் முதலாவது எதிரி உத்திரவின்பேரில் 2,3,4 பெதிரிகள் வேதாந்தாசாரியார் விக்கிரகத்துக்கும் 5-வது பெதிரி நாதமுனியாழ்வார் விக்கிரகத்துக்கும் நூதனமாய் வடகலை திருமண் வைத்து இரண்டுமுதல் பனிரெண்டுவரையிலுள்ள பெதிரிகள் சுவாமிகிட்ட கொண்டுவந்ததும் தவிர வழக்கத்துக்கு விரோதமாய் யிந்த கோவிலுக்கும், தென்கலை மதஸ்தர்களுக்கும் பெதிர் கேவலமான வடகலைநாமம்வைத்து வந்திருப்பதினாலே அவருக்கு நாங்கள் கோரய மரியாதை செய்யமாட்டோமென்று சொன்ன மிறாசுக்காரர்களுக்கும் பெதில் முதலாவது பெதிரி அவரைச்சேர்ந்த வடகலையார்களை வைத்து மரியாதை நடத்தியிருக்கிறார். அதினாலே யெங்களுக்கு ராங்கடமும் துக்கமும் உண்டாயும் நாங்கள் வீதுசங்கதிகளை அவ்விடம் வந்திருந்த சப்மேஜஸ்திரேட்டாரவர்களிடம் தெரியப்படுத்திப்போட்டு யாதொரு ஆக்ஷேபம் செய்யாமலிருந்து சமுகத்தில் யிந்த பிறுது கொடுக்கலாமோம்.

இந்தப்படி முன் மிறாசுக்காரரைத் தள்ளி வடகலையார்களை வைத்துநடத்தி உச்சவம் முந்தகப்படுத்தின தர்மகர்த்தா வடகலை ராஜாபகதர் ரெங்கசாமிஅய்யங்காருக்கு மேஜஸ்திரேட்டார் அவர்கள் 1850-ம ஸ்ரீத்தில் ரூ. 500 ஜாமீன் விதித்து தர்மகர்த்தா வேலையையும் தள்ளி யிருக்கிறார்கள்.

மேலே யெழுதியபடி அக்கிரமம் செய்த பெதிரிகளுக்கு பினல்கோடு 188-வது பிரிவுப்படி தகுந்த சிக்ஷை செய்து யினி தீர்ப்பு வகைபருவுக்கு விரோதமாய் வடகலை திருமணை வைத்து விக்கிரகங்களை கொண்டுவந்து கலகம் செய்யாமலிருக்கும்படி தீர்மானிக்க கேட்டுக்கொள்ளுகிறோம்.

1874 ஸ்ரீ ஜனவரி மீ 7 உ.

(ஒப்பம்) ஸ்ரீரெங்காருயணஜீயர்.
(ஒப்பம்) ஸ்ரீ வேதவியாச ஸ்ரீவெங்கிடபட்டர்.
(ஒப்பம்) ஸ்ரீவாதூல ஸ்ரீரெங்காசார்லு.
(ஒப்பம்) ஸ்ரீபராசரபட்டருடைய ஸ்ரீசுதரிசனபட்டர்.
(ஒப்பம்) ஸ்ரீஉத்தமநம்பி ஸ்ரீரெங்காசாரியார்.

eighth day of Rapputha Voosthavam, the above mentioned Defendants have against the Decree No. 130 of 1808 and the order of the several Magistrates and your Honor and against the mamool combined in a conspiracy; that at the instigation of the 1st Defendant the Vadagalai Manager, 2nd, 3rd and 4th Defendants put Vadagalai mark to the idol Vedanthachariar and brought it before the God; that at the instigation of the 5th Defendant Vadagalai mark is put to the idol called Nathamuny Alwar and 2 to 12 Defendants have brought the said idols with that mark; that besides the 1st Defendant has dispensed with the services of the Mirasee servants who have refused to do honors to the said two idols because they wore Vadagalai mark and substituted his own caste people and had the honor done by them to those two idols alone; that it is not only greatly annoying but also very humiliating to the Thengaliars, that thus the Defendants have perpetrated daring acts in contravention to the clear orders of the several tribunals that the Sub-Magistrate had been witnessing all these acts.

That once before one Raja Bahadoor Rengasawmi Aiyengar having committed similar acts, the then authorities dismissed him from the Managership which he then held.

That we therefore humbly beg that your Honor will be good to take serious and speedy notice of the above mentioned circumstances and subject the Defendants to the proper punishments.

7th January 1874.

Trichinopoly Zillah, In the Court of the District Magistrate.

Calendar No. 3/1874

Deposition of 1st Witness for Prosecution.

Name..................................Parasara Bhattar.
Father's Name......................
Village and Taluq..................Srirangam.
Caste..................................Brahmin.
Calling................................Stalattar.
Religion...............................Vishnuvite Tangalai.
Age.....................................

Solemnly affirmed in accordance with the provisions of Act V of 1840.

I am complainant in this case. I have been attached to the Pagoda for 15 or 16 years. I am an Achari and Stalattar. I have the management of the Pagoda. I have seen the processions of the idols in the temple during that time. I know the temples of *Nadamuni Alwar* and *Vedantachari*: their *idols* have been brought out in procession every year during that time, for 20 days in the *Kottayi Vutsavam*. Once in a new year's day, and once during the Teipavali feast.

In all these processions *Nadamuni Alwar* was brought out with *Tengalai* mark and *Vedantachari* sometimes with *Tengalai* and sometimes with *Tillakam*.

For the last 7 or 8 days Vedantachari has had the *Tillakam*.

Only *one* idol came out of each temple.

By Court — I saw *Vedantachari* idol yesterday when the Court inspected it: it was not the idol that has hitherto been brought out in procession.

It has been *substituted* for the original idol: not simply altered.

By Mr. Johnstone — The hands of the original idol were put together as in prayer. The present idol is somewhat larger. I don't know why they put the *Tillakam* instead of the Tengalai mark: we have no objection to the Tillakam, and *Ranganadaswami* wears it. The *Nadamuni Alwar* always had the Tengalai mark, *it is the same idol*. I saw it come out this year: it had a new Vadagalai mark on.

I also saw *Vedantachari* come out: it had a new *Vadagalai* mark set with diamonds.

They both came out on the night of the 8th day of the *Kottayi* Vatsavam.

They were taken before the God *Ranganadaswami*. They were in procession for about 3 hours. I did not see who any of the persons were who were carrying the idol: there was a great crowd.

I know 1st Defendant *Rangasami*. I saw him on the day the idols were taken in procession:—that was *before* they came out. The servants of the two idols came and said the Tahsildar said the orders had been cancelled and that *he* would give no orders about bringing the idols out or not. So they asked *Rangasami* whether they were to put on their mark and bring the idols or not, and he told them to bring with so, *Vadagalai* about 20 minutes after *Vedantachari* was brought out. Rangaswami was not there when the Vedantachari was brought out. I did not see him there at all during the procession of either idol; but after they had been taken to the *Kottayi* I saw him in the Mantapam near the *Kottayi*: he was there for about 4 Indian hours. I didn't see the idols going back to their Kovils. The 4th (Ramasami) and 5th (Dorasami) Defendants asked *Rangasami* for orders as to taking the idols. The 4th Defendant belong to the *Vedantachari* Kovil, and the other to *Nadamuni* Alwar. They are temple attendants. I saw them in the processions *Dorasami* was carrying the idol and *Ramasami* holding the torch that was in the Mantapam inside the Kottayi. I didn't notice any of the other Defendants there.

All the Tengalais objected to the idols being taken in proces[...]ut there no disturbance. I made my objection to Menigar *Sami Aiyengar* [...]bjecte the Mantapam. No Tengalais did any honors to the two idols: t[...]*dalaga* conducted the ceremonies themselves. I did not notice any of the pe[...]ho honor to them. They took them out again on the 9th and 10th days in [...]ey ing. I didn't see the people who carried them there. I didn't see the 1st [...] *either of these* days. *I did not notice what kind of marks they had on these* d[...]

By Court] The *Nadamuni Alwar's* mark was covered with colour. So that I coul[...] distinguish the mark on the idol itself.

I didn't speak to *Rangasami* when I heard him give orders to put on *Vadaga*[...] mark and bring out the idols. I thought I might object when the honors w[...] being done to the idols.

By Mr. Johnstone No. IX with the enclosure I have seen the letter produced. I signed it. I was Darmakartah then w[...] *Periyasami* and *Virasami*, but *Virasami* did not attend t[...]ss when we prepa[...] the list: we took the servants of the temple, the Peishka[...]Curnam with us. [...] list is a correct list of the marks in the Temple then.

There are now 3 Darmakartahs, *Periyasami Mudaliyar*, *Rangasami Aiyeng*[...]

By Vakil for 1st Defendant and *Vedavyasa Bhutter*. *Periyasami* is a Sivite and *Rangasami Vadagalai* [...] *Vedavyasa Bhutter* a Tengalai. Rungasami was appointed 4 or 5 years ago. I h[...] been Darmakartah with *Rangasami*. Sometimes *Rangasami* and I signed the s[...] orders and sometimes we did not. We did bring a suit against the Committee [...] one reason was to get *Rangasami* (1st Defendant) dismissed from his appointmen[...] as Darmakartah.

I claimed the Temple as *mine* (as Mirasidar.)

There is no seperate entry of the marks on *Nadamuni* Alwar and *Vedantachar*[...] in the list submitted in 1863. *Vedanta* was a priest for both sects, *Vadagalai* an[...] *Tengalai*. There were no Vadagalai marks, so we sent no list of them: we didn't enter the marks mentioned in the report because they were new. They had been put up 5 or 6 days before. I can't remember whether we wrote a separate complaint about the putting up of new marks referred to in IX.

Some of the marks on the outside *walls* have been effaced. I didn't remember if any complaint was ever made about those marks.

I have documentary evidence of the fact that *Vedantachari's* idol wore the Tengalai mark 7 or 8 years ago.

The Tillakam on *Vedantachari* was about the size of a tamarind leaf.

By Court I have only seen the marks on the idol when *painted*, so I can't tell what brass marks it may have had.

By Vakil for 1st Defendant I have seen it from 10 or 12 feet distance both at night and day when it was brought.

There is about 3 fingers difference in size between the old idol and the one now in the Covil.

The idol is sometimes brought ou[...]covered and sometimes not: when not clothed it has plates of gold over its bo[...]

I have never seen its naked body w[...]its plates.

By Court The difference between this idol an[...] one was that in this the hands are *closed* together, and in the old one a littl[...]nd raised.

By Vakil There are a good many small Templ[...]rirangam. I could not identify the idols in all the minor Temples. There are [...]vars in the Srirangam Temple. Some are Alwars and some Acharies. I co[...]ntify all the Alwars if I saw them. I can't describe them without seeing t[...] Except the two *Vedantachari* and *Nadamuni Alwar*; none of the Alwars have [...] cast in the metals, but they have Tengalai marks put on when they come ou[...]on't know whether Vedantachari and Nadamuni Alwar have the marks in me[...] not.

Vedantachari's Covil is in charge of [...]ervants of that Covil: they are Vadagalais. Tengalais don't do anything in [...]emple.

Nadamuni Alwar's Covil is in charge of the Vadagalais. Tengalais are not concerned in it, and as far as I know the *Vadagalais* have always had charge of both Covils.

All the minor Temples in the Srirangam Temple belong to *Runganadaswami*: the different persons may have charge of each.

There is a Temple called Kurat Alwar: it is in my uncle's charge: it is his *Mirasi*: he does not do services himself.

Vadagalais are employed in Runganadaswamy's own Temple in attendance. The *Vadagalais* are the pujaries who touch the God (bathe him.) No Tengalais have touched the God.

The doctrine of the *Vadagalais* and Tengalais is different: the leaders of the sects are different, *Ramanujachari* is the Tengalai founder.

I don't know whether *Vedantachari* is the founder of the *Vadagalai* sect. I don't know who the founder of the Vadagalai sect was.

I have seen *Nadamuni Alwar* when brought out at a distance of 8 or 10 feet, never close.

I have never seen the whole of Nadamuni Alwar; he always had clothes on.

I don't know what sort of God he is: he has his hands closed and raised up.

I was standing to the North of *Runganadaswami* when Rangasami was talking about bringing out the idol. I was about 150 feet from Runganadaswami. There was a great crowd.

I was about 10 feet away from *Rangasami Aiyengar*. There was some noise: not much. I was east of *Rangasami*. There were some people between us: not a crowd. I was facing west and he east. I don't know if he knew I was there or not. The 2 (Dorasami and Ramasami) came together from the God's (Runganadaswami) idol. They talked loudly with Rangasami as they were talking. I happened to hear, I did not notice who was with *Rangasami*.

Srinivasa Aiyengar, Kristnasami Aiyengar and *Ananda Alwar* were with me. I don't know whether they heard *Rangasami* or not. I did not speak to them on the subject at the time.

I did not report to my official then that Rangasami had ordered the idols to be brought out; but I told the Tahsildar next day. The Tahsildar was there that night. I saw him there. I did not see him after I heard Rungasami giving orders. I heard he was there. I did not see him again that night.

By Court. It was late then and dark, so I did not complain to Tahsildar.

By Vakil. I complained to the Tahsildar before I sent in a written complaint. I told him that Rangasami had ordered the idols to be taken: that was about 9 A. M. at Srirangam. I went to the Magistrate about 10 A. M. *Virasami* did not sign the list in 1863, because he was one of these charged with putting *Vadagalai* marks: and complaint was made against him: he was a Madva Brahmin. I don't know whether the copy of the list sent to the Devastanam office is there now or not.

The God Runganadaswami had gone inside when I saw *Ramasami* carrying the

By Vakil 4th Dft. torch. There is only one other torch, both for *Vedantachari*. I don't know who carried the other. I was 10 feet or so away when I passed by the idol.

I did not see the two idols with *Vadagalai* marks on the first day of the *pagal*

By Vakil 5th Dft. *vutsavam* (20th December) I heard they had got Vadagalai marks then. I saw them first on the day of the offence. I don't know whether the idol brought out then was the old one or that now substituted. I saw *Dorasami Aiyengar* carrying the idol I can't tell when this new idol was substituted for the old one.

The other Defendant's Vakils have no questions.

This deposition was read over to the witness in tamil and acknowledged by him to be correct.

This 4th day of February 1874.

Srirangam, 4-2-74. (Signed) J. B. PENNINGTON,
Acting Magistrate.

Re-sworn and re-examined by Mr. Johnston this 5th day of February 1874. The Vadagalais put the Tengalai mark on the Chief idol of Runganadaswami that is the big stone one, the one that comes out wears the Tillakam.

The big God does not have the Namam *painted* on.

The Tillakam is marked freshly on the small idol from time to time. *Vadantachari* and *Nadamani Alwar* both belong to Runganadaswami and are supported by him. There is one Siva idol in the Temple: it is built of Chunam. It bears the *Tengalai* mark *built in* to it, it is an old mark. The Vadagalais tend that idol also. There is also a *Madva* idol of Hanuman which has the Tengalai mark. I don't know if the mark is cut *in the stone*, but it is regularly marked, and by the *Vadagalai servants*.

By Vakil for 1st Defendant.

I don't know of any other Siva idol supported by *Runganadaswami*. The *Mariammen Covil* at Samayapuram is supported by *Runganadaswami*. So is Ambiliswaran Covil, because the income of those Temples comes into the revenues of *Runganadaswami*. I don't know how *Srirangam Kanchiammen Covil* is supported nor do I know as to *Teruvaranga Chelliammen*. I have not seen any of the 4 idols now mentioned.

The *Hanuman* idol is near the flag staff of the big Pagoda: it is not in charge of any one, it is on a raised place. I said it was Madva idol because they worship it. I don't worship it. I don't know whether Tengalais and Vadagalais worship Hanuman or not. I don't know whether there is any other Hanuman God. I have heard of *Sokapani Hunuman*, but have not seen it, it is always shut up. I don't know who has charge of it. I don't know whether it is supported by Runganadaswami or not. I could tell by seeing the accounts. No one is in special charge of *Vigneswaran* (the Siva idol mentioned.) The Sivites do not perform Puja to it. They are not allowed to touch it.

If the God *Runganadaswami* is on *Hanuman* (Siruteruvadi) I worship it but not Hanuman exclusively. This depotition was read over to the Witness in Tamil and acknowledged by him to be correct.

This 5th day of February 1874.

Srirangam }
5—2—74. }

(Signed) J. B. PENNINGTON,
Acting Magistrate.

28th March 1874.

Extract from calender in case 9 on the District Magistrate's file of 1874. Trichinopoly.

..UMN I. *Number of the case—9 of 1874.*

" II. *Name and description of the accused.*—

1. Kodiyalam Rengaswami Aiyangar.
2. Seshagiri Aiyangar.
3. Krishnaiengar.
4. Ramaswami Aiyangar.
5. Duraiswami Aiyangar.
6. Puliyur Narayana Aiyangar.
7. Regunadha Aiyangar.
8. Srinivasa Aiyangar.
9. Krishnaswami Aiyangar.
10. Sundram Aiyangar.
11. Vedantam Aiyangar.
12. Kasturi Aiyangar.

(Brahmans)

1. 6. 11. 12. Landholders, the rest Vydikham.

" III. *Copy of the charge: Firstly.* That you the first prisoner Kodiyalam Rengasami Aiyangar. 2. Seshagiri Aiyangar. 3. Krishna Aiyangar. 4. Ramaswmi Aiyangar. 5. Duraiswami Aiyangar. 6. Puliyur Narayana Aiyangar. 7. Regunadha Aiyangar 8. Srinivasa Aiyangar. 9. Krishnaswami Aiyangar. 10. Sundram Aiyangar. 11. Vedantam Aiyangar. & 12. Kasturi Aiyangar, on or about the 6th day of January 1874 at Srirangam intentionally insulted and thereby gave provocation to the Complainant and others, intending or knowing it to be likely that such provocation would cause them to break the public peace, and thereby committed an offence punishable under section 504 of the I. P. C. and within my cognizance.

Secondly: That you, the said prisoners at the same time and place malignantly or wantonly, by doing an illegal act gave provocation to the Complainant and others, intending or knowing it to be likely that such provocation would cause the offence of rioting to be committed and thereby committed an offence punishable under section 153 of I. P. C. and within my cognizance.

Thirdly: That you, the said prisoners at the same time and place, voluntarily caused disturbance to an assembly lawfully engaged in the performance of religious worship or religious ceremonies, and thereby committed an offence punishable under section 296 of I. P. C. and within my cognizance.

Fourthly: That you, the said prisoners at the same time and place, with the deliberate intention of wounding the religious feeling of the Complainant and others, placed an object in their sight and thereby committed an offence punishable under section 298 of I. P. C. and within my cognizance.

Fifthly: That you, the first prisoner Kodiyalam Rengaswmi Aiyangar at the same time and place abetted the prisoners 2nd to 12th in the commission of the above offences and thereby committed offences punishable under sections 504. 153. 296. 298 and 109. of I. P. C. and within my cognizance.

" IV. *Name of Complainant.* Regina.

" V. *Names of witnesses for the prosecution.* 1. Parasara Bhutter. 2. Sami Aiyangar. 3. Tillanayagam Pillai. 4. Appasami Aiyar. 5. Ganapathy Mudali. 6. Narayana Rao 7. Krishnasami Aiyangar. 8. Srinivasa Aiyangar. 9. Anantha Alvar. 10. D. Periyasami Mudaliar. 11. Venkataramana Aiyangar.

" VI. *Names of witnesses for the defence if any.*

1. Thirumalai Aiyangar. 2. Srinivasa Aiyangar. 3. Krishna Buttter.

4. Kuppa Bhutter. 5. Sundararaja Aiyangar. 6. Srinivasa 7. Rangasami Aiyangar. 8. Krishna Rao. 9. Subba Aiyar. 10. Shadaya 11. Subbaya Chari. 12. Krishnaswami Achari. 13. Gopala Chari. 14. Ki Aiyangar. 15. Venkatachari. 16. Ranga Chari. 17. Sesha Aiya 18. Singam Aiyangar. 19. Duraiswami Aiyangar 20. Gurusami 21. Maduranayaga Mudaliar. 22, Kuppa Rao. 23. Nilakantam Pillai

" VII. *Statement of evidence and ground of conviction*:—In this case, the Co nant (1st witness) who is a prominent member of the Tenkalai Sect of mans attached to the Temple at Srirangam, charges the Defendants having insulted the religious feelings of himself and his co-religionists with having provoked a breach of the peace by carrying in procession with the distinctive mark of the *Vadakalai* sect emblazoned on their forehea *contrary to immemorial custom.*

2. It is not alleged that the first Defendant was actually concerned in carrying the idols in procession but that he ordered them to be brought both in writing and verbally, and that he is in fact chiefly, if not solely, responsible for their having been brought in procession, with Vadakalai marks.

He has, therefore, been charged with abetment of the offences alleged to have been committed by the other Defendants.

3. As to these offences, a preliminary objection was taken by Mr. O'Sullivan that the facts, even if proved would not constitute offences under the sections quoted and that even if they did technically amount to offences according to the literal meaning of the Penal Code, yet that a Magistrate would exercise a wise discretion in declining to adjudicate on the facts, because in doing so, he must necessarily decide a question of Civil right which would be much better left to the Civil Courts.

4. Now as to the plea, that the facts if proved, do not amount to an offence *because there was in point of fact no danger of a breach of the peace &c.*, I think it is completely disposed of by the Judgement of the High Court in Criminal Petition No. 20. of 1864 dated 21st July 1864. (Exhibit XI.) and that it is no defence to a charge of insult to say that the accused knew that the Complainant was of such a mild disposition as not to be at all likely to resent it; that would be a most extraordinary kind of law and of course, a man must always be understood to contemplate the *natural* consequences of his acts, the complainant, at the same time, being assumed to be a person of ordinary sensibilities and temper. But the present case is much stronger than an ordinary case of insulting an individual of so peaceable a character as to be unlikely to commit a breach of the peace in resenting it, for there is always considerable danger of disturbance during a Festival when crowds of *strangers* are present and a very slight spark will often set things in a blaze on such occasions however peaceable the regular inhabitants of the place may be.

5. I think, therefore, that if the Defendants did commit the acts complained of, they must be *assumed* to have known that they were likely to cause a riot.

6. Then, as to the advisability of such cases involving (as they undoubtedly do) delicate questions of civil right, being referred to the Civil Courts, I should have been only too glad if the complainants had thought fit to prosecute their rights in the Civil Courts. But as they chose to complain to a Magistrate and as it did appear to me that, *supposing their allegations to be true*, they had been grossly and *wantonly* insulted, I do not understand how I could, with any propriety, have refused to take up their complaint. It was not, as if they were endeavouring to establish some apparently insignificant and unreasonable right (such as their claim to perform some mysterious ceremonies in the houses of the Vadakalais) their complaint was that they had been grossly insulted in the midst of a great Festival and during the celebration of a religious ceremony, when any such interruption is peculiarly likely to cause disturbance and that as a matter of fact, the usual ceremonies had been

altogether suspended in consequence of the Defendants' act.

7. To argue that, because the complainants' party did not make any very vehement commotion and did not appear to be very excited is useless, because they had been expressly instructed* not to interfere in any way if any thing was done contrary to custom, but *to complain at once to a Magistrate* and though it is, ofcourse, most unfortunate that a Magistrate should have to decide such an apparently intricate question of custom as is involved in the present case, I cannot see that this is a sufficient reason for deprivingthe complainants of the direct remedy provided for them by law and for compelling them to go to the expense of a Civil suit. It is unfortunate that Courts should differ in opinion on matters of fact, but this occurs every day in Appeal cases, and if the Defendants in this case should unfortunately happen to be improperly convicted in this case, even if the conviction should be affirmed on appeal, they might perhaps still recover damages by Civil suit.

*Vide District Magistrate's order dated 6th January 1874

8. On the question therefore as to the propriety of a criminal prosecution in such cases I may say at once (following the High Court) that the facts alleged appear to me to constitute a very serious offence *against the public*, as well as against the complainants' sect, and that Defendants if convicted would deserve exemplary punishment. The offence would be aggravated by an unusual display of torches in front of Vedanta, intended apparently to make the Vadakalai mark more conspicuous.

9. I come now to the facts of the case and it appears that the only point at issue is whether the two idols Vedantachari, and Nadamuni Alvar have been carried in procession with *Vadakalai* or with *Tenkalai* marks.

10. The complainants unanimously assert that they have always worn Tenkalai marks: the Defendants are equally positive that they have never worn anything but Vadakalai marks.

11. Now it was incidentally observed at the very beginning of the inquiry by a pleader on one side (if not by the pleaders on both) that there would be a good deal of hard swearing on both sides, and that much reliance could not be placed on a great deal of the oral evidence on either side, but I must say I was hardly prepared for such deliberate contradiction as to a plain matter of fact the truth of which must, I cannot help thinking, be perfectly well known to almost every witness who has been examined and probably to every one in Srirangam.

12. Mr. Johnstone indeed, was charitable enough to contend that the witnesses on both sides, were so blinded by religious prejudice that they swore simply to what they *believed* was the case, or even persuaded themselves, must be the case without having had any opportunity, of ascertaining what the marks really were.

13. It is just possible this theory might account for the evidence of *some* of the witnessess for it is, as Mr. Johnstone observed,* altogether unaccountable, why they should take such particular notice of marks as to which, according to their own showing, there had never been any doubt or dispute, but some of those examined for the Defendants were intelligent men of good positon and appeared to give their evidence in a very honest and straightforward manner; and if they were ignorant of the facts they so positively swore to as *of their own knowledge*, it is dfficult to see how they could avoid the charge of perjury.

*One witness Singamiengar stated that he had not noticed a particular Tenkalai mark to which he was referred but *he knew it was there* and that may be the character of their knowledge of these marks.

14. The contradictions in the oral evidence are at any rate so unaccountable that one is necessarily driven to the documentary evidence to see what the probabilities of the case are; and unfortunately the documentary evidence, though in the highest degree voluminous is neither perfectly clear nor by

any means directly *conclusive on the point* at issue.

15. The earliest document on record that has been produced, is a Report* from one Velu, who calls himself *Devastanam Arbiter*, in which he reports on a complaint of the Tenkalais that the Vadakalai people would not allow them to perform *Nammai and Tinmai*, and other ceremonies in their houses. He adds that on the 11th Instant, (August 1803) the Tenkalai people celebrated within the Pagoda, the Festival of *Tenkalai* Vedantachari according to mamool, but the *Vadakalai* people contrary to custom read the Ramanuja-potram &c. to which the Tenkalais objected; he concludes by charging some of the Vadakalais with being wicked people who go contrary to custom and perform *new* ceremonies (or do things in a new fashion not according to mamool.)

*Exh. XIII.

16. It does not appear what Velu was exactly & we have, in this only his report of what happened, but the authenticity of the document was not questioned by the defendants & as he was not even reporting specially as to any dispute about Vedantachari, his casual remark that the Tengalais had celebrated the festival of *Tengalai* Vedantachariar & the fact (which may fairly be inferred) that the Vadagalais did not even object to it are very significant and it is also evident that then the Tengalais claimed the exclusive privilege of performing ceremonies in the houses of the Vadagalais.

17. The next document in order of time is the decree in O. S. No. 130 of 1808 of the Zillah Court of Trichinopoly which may fairly be described as the *Magna Charta* of the Tengalai Sect. As Mr. O' Sullivan observed, it is a decree suited to a time when slave holding was still an institution of the country and equal rights between man and man were not clearly recognized; and no doubt it would have been difficult to enforce its provisions even by regular suit, so complete is the control with which it endows the Tengalais and so abject the servitude to which it must have reduced the Vadagalais. But it is relied upon not so much as declaratory of the rights of the Tengalais, but rather as evidence of a presumption that fortified with such a decree (which, it must be remembered though it appears *to have been appealed against, was never altered*), the Tengalais would certainly not have submitted to any invasion of what they considered their exclusive privileges without the most determined resistance.

18. Fairly construed it must mean what it says, that "the Tengalais are confirmed in their superiority over the Vadagalais of Srirangam and are declared the *dictators* in *all* the ceremonies to be performed to the Swamies therein."

19. It has been argued that the Tengalais never took any proper steps to assert their rights under the above decree, and always tried to gain their ends by miscellaneous petitions whenever a new Judge or a new Collector appeard before the scenes but it is evident from the numerous documents filed that for nearly 70 years they have persistently opposed the inroads of the Vadagalais; and if either party was bound to take proceedings with reference to that decree, it was surely the Vadagalais who had been treated by it, as Mr. O' Sullivan remarked, like slaves.

20. In an Order* dated 6–3–1818, Mr. Lushington, the then Collector, enforces the terms of the above decree, and says plainly in so many words that the Vadagalais *must do as the Tengalais tell them* or they won't be allowed to do any thing and will be held to security.

*No. 27

21. Exhibit 28. is the bond by which one of them was held to security accordingly.

22. In 1825, Kooratalwar Aiyengar brought a suit* for fees due to him for reading the Vedas behind the God (Renganadaswami) in processions. The defence was that plaintiff being a *Vadagalai*, had no business to read the Vedas and that the privilege was confined to the Tengalais by the decree in O. S. No. 130*. The suit was dismissed on the ground that

*No. 26

*Exh. I the decree in No. 130 was conclusive in favour of the Defendants and was binding as it had never been reversed.

23. Exhibit 18 is an Order from the Collector to the Deputy Peishkar dated 16–10–29 directing him to get Tengalai marks put upon a silver kite vehicle (given by Agobala Jeer) and upon a gilt kite when they entered the Pagoda. This Agobala Jeer, it may be observed, is the proprietor of Vedantachari's temple and the leader of the Vadagalais.

*No. 31.
*Exb. A.

24. In 1829, Mr. Cameron, the then Collector, appears to have issued a proclamation* affirming the provisions of the decree in O. S. No. 130, which the Circuit Judge ordered to be cancelled in Extract* from Proceedings dated 2–4–1832.

25. Then again the Fouzdari Adaulut seem to have ruled that the Circuit Judge *was wrong* (see. Exh, XXXI.) and accordingly the proclamation was renewed (Exh. XXX. dated. 21–10–1832,) re-affirming in the most explicit manner the original decree and warning the Vadagalai people to act up to the terms of that Judgment.

*Exb. VIII.

26. Somewhere about this time the Vadagalais appeared to have applied direct to the Sudur Adaulut to annul the decree in O. S. No. 130 of 1808 (Exh. No. 1.) and the application was rejected* after the fullest consideration (17–6–33.)

27. This application seems to have been consequent on the orders of the Zilla Judge of Combaconam under date 11–2–33, which orders must therefore be considered to have been superseded by the orders of the Sudur Adaulut (Exh. VIII.)

28. Exh. F. (dated 20–12–1833) is an extract from Proceedings of the Provincial Court on a petition of the Tengalais informing them that they can only assert the rights they claim under the decree in O. S, No. 130 of 1808 by a fresh suit.

29. Exh. G. (dated 15–3–1834) is an endorsement from the Magistrate to the Tengalais to the same effect.

30. Exh. H. (dated. 15–4–1834) confirms the Magistrate's order in G.

31. So then from 1803, till 1834, there is no mention in the Exhibits of any disputes as to these 2 Idols nor as to any mark in the Pagoda, and on the whole it must be conceded that the decree in O. S. No. 130 of 1808 was pretty consistently followed and was at any rate never altered. So that in every dispute, the Tengalais put it forward as the authority for the most exclusive rights, and the Vadagalais as persistently endeavoured to get it annulled. Considering then the respective positions of the parties in 1834 and the fact that in 1803, this Vedantachari is called *Tengalai* Vedantachari by a man who calls himself an arbiter, and especially considering that there is no evidence that this curious expression of his was ever even challenged by the Vadagalai party, it does seem most unreasonable to suppose that he had been constantly carried in procession with a Vadagalai mark before 1835.

32. The first document filed that refers to any dispute about a mark, is No. XXXII of the complainant's exhibits, from which it appears that the Tengalai people complained that the Vadagalais had removed the Tengalai mark over the entrance to Vedantachari's chapel, and put up a Vadagalai mark instead. No. XXXII is the Magistrate's order (dated. 10–9–1835) to the Head Peishkar to inquire into the complaint &c.

33. The mark was ordered to be removed and the Tengalai mark restored by the Collector's order dated 21–11–1835 (Exh. IV)

34. Meantime on the 2nd October 1835, another dispute seems to have taken place which bears a remarkable resemblance to that now under inquiry.

35. Official intimation of it was sent to the Collector on the 3rd October

(Exh. Z) and three depositions were enclosed, two of which are Y. and H. H (the third has not been filed).

36. From this report it appears that on the 2nd idem the idol Vedantachari had been taken out with a Vadagalai mark on, and the Tengalai authorities, objected and refused to allow it to receive the honours, because they said the Vadagalai mark was contrary to custom.

37. The result of the inquiry by the Paishkar as to the custom was that the Vadagalai people generally said the idol always wore the Vadagalai mark, and the Tengalai people the Tengalai mark. One Thengalai who was a Sathani however gave a deposition to the effect that the idol always had a *Vadagalai* mark.

38. He *appears* to have meant that it wore this mark in processions as well as in its shrine; but he was not crossexamined, and his evidence is certainly not more reliable than that of the 10th witness for the defence, a bricklayer, who professes to be a Tengalai and who deposes that the mark has always been Vadagalai.

39. Ultimately, however, the Peishkar appears to have persuaded the Tengalais to perform the usual honours to Vedantachari and got the festival celebrated.

40. One point in the report is noteworthy, and that is that the people who belonged to neither sect, accountants and other Devastanam cutchery servants stated that they *did not know* if it was a Tengalai or Vadagalai mark that was usually worn. This is decidedly corroborative of Mr. Johnstone's contention that the corresponding witnesses now who speak so positively on the point are not to be trusted and speak more from what they believe or wish than from what they have seen with their own eyes. It appears too that *Subba Pillai* the then Head Peishkar was unable to give a decided opinion of *his own knowledge* on the subject, but he evidently came to the decided conclusion from the evidence that it was new to have the Vadagalai mark though he did not agree with the Tengalais in supposing that it had been put on the day before the feast, as he observed the Vadagalais had long had Vedantachari in their keeping and might have put the mark long before. He must have been confirmed in his view when the servants of Vedantachari refused to allow him to examine the idol's forehead. It is, in my opinion, quite impossible to believe that the Tengalais would after this have allowed Vedantachari to come out with Vadagalai mark without making the slightest protest and the fact that no such protest was made till last year seems good evidence that it had never been so brought out till last year.

41. The order on this report has not been filed by either party. It is dated 6th October: and is simply to the effect that such disturbances are not to be allowed and that the Peishkar himself would be dismissed if he did not manage the affairs of the pagoda better. No decision of any kind was come to on the point then at issue, but in an order on petitions of the same date (Exhibit II) enclosing endorsements to the two parties the Collector says that there is to be no disturbance in the celebration of festivals *in conformity with the decisions passed in favour of the Tengalais and in conformity with established mamool.*

*Exh. III. 42. Then on the 19 idem, the Collector wrote to the Head Peishkar on a complaint of the Tengalais that Vedantachari was again about to be brought out with Vadagalai mark, that by decree in O. S. No. 130 the Vadagalais have no right to perform the principal ceremonies in the Supthapracarum of Srirangam, or in any way to attempt to perform ceremonies like Tengalais. The Head Peishkar was therefore directed to take care that nothing was done contrary to the decisions passed in favour of the Tengalais &c. and it

49

is evident from his language in his report dated 3rd October (Exh. Z.) that he would take this to prohibit Vedantachari being brought with Vadagalai mark, but it is unfortunate that this decision was not stated in explicit terms.

43. Exhibit XXV, Proceedings of the Provincial Court, dated. 14–12–1835 is an important document in many ways.

44. It appears from it that the Collector having received a precept from the Zilla Court of Combaconam directing him to carry into effect the decree in O. S. No. 130 of 1808, had accordingly caused the decree to be published, but had met with so much opposition that he anticipated being compelled to make return that he was unable to execute it. He accordingly applied to the Provincial Court for instructions and the Court informed him that the decree in O. S. No. 130 was *final*, and could not hereafter by any authority whatever be altered. They went on to say that by that decree the Tengalais were declared to be entitled to certain rights to the exclusion of the Vadagalais, and in the free and peaceable enjoyment of those privileges they must be supported; further suggesting that any one setting himself up against the authority of the decree should be held to security.

45. It may be remarked incidentally as a curious fact that in writing to the Court, the Collector mentions the dispute about the mark over Vedantachari's shrine, but does not allude to the more recent case of the mark on his forehead.

46. It is also not irrelevant to observe that he describes the Tengalais as " by far the weakest sect" and speaks of "the continual encroachments "of the Vadagalais being likely to compel the Tengalais to give up their undoubted exclusive rights and privileges in the Srirangam Pagoda".

47. There is no evidence of any further dispute till 1840, when there seems to have been some discussion as to the decree of 1808, and the Collector (Mr. Onslow) in an order* dated the 21st July told the Head Peishkar that the parties should be referred to a civil suit whith regard to the infringement of the terms of the decree, and that they would be prosecuted if they committed any breach of the peace.

*Exh. I.

48. Then in September of the same year on a complaint from the Tengalais that they were prevented from performing the Nammai and Timmai ceremonies in the *Vadagalai's* houses the Magistrate, (Mr. Onslow) *informed them that it would be better if the 2 parties performed their respective ceremonies themselves without interfering with each other; and so no doubt it would, but the Magistrate's order to that effect was in no way binding on either party, and was clearly only an expression of impatience at the perpetual disputes.

Exh. J.

49. It appears from Exhibit. K. (an Extract from the Proceedings of the Fouzdari Sadr Adaulut dated 18–1–1841) that the Collector (or Magistrate) had carried out a threat he made in J, that he would hold the parties to security and that the Tengalai party had accordingly been held to security and fined, that they had appealed to the Court of Circuit who had declined to interfere on the ground that the subject of the dispute was of a civil nature which could only be satisfactorily decided by the Collector; and that the Sadr ordered the Court of Circuit to hear the appeal.

50. They went on to say, that if the Tengalais considered their just rights had been invaded, they should sue for the recovery of any such emoluments or rights of which they considered they had been deprived.

51. In L. dated 10–2–1841 the Court of Circuit apparently dispose of the Appeal and confirm the order of the Magistrate fining and holding to security certain Tengalais for a breach of the peace with reference to a Vadagalai corpse.

*Exh. M.

52. In a decree* (dated 13–4–1842) the Southern Provincial Court ruled that to enforce the right claimed under the decree of 1808 to perform cere-

monies in the houses of Vadagalais would be manifestly an act of gross oppression, and that no order having for its object to insist upon the Vadagalais submitting to have their houses so invaded against their will can be passed; and added that the Tengalais were at liberty as they have been repeatedly told to bring Civil actions for any fees or emoluments of which they considered they had been deprived by the Vadagalais through their refusal to admit them for such purposes into their houses, and that this was the only mode of proceeding whereby the amount of their claims on that account could be ascertained and settled.

Exh. N. 53. This ruling was confirmed* by the Sadr Adaulut as regards the performance of ceremonies in the houses of the Vadagalais and the Sadr assenerated the same principle that the Tengalais must sue for any rights &c of which they consider they had been deprived.

54. It appears from C. C. that the affairs of the Temple were handed over to the charge of *certain Dharmakarthas* stalallars in 1842, but it does not appear that this had or was intended to have any effect on the ceremonies &c to be performed in the temple, and it was not relied upon as a document of any importance.

Exh. O. 55. In 1843, the Tengalais again attempted by miscellaneous petition to assert their exclusive claims under the decree in O. S. No. 130, and were told that if sufficient cause were shown, the Magistrate would no doubt interfere to prevent a breach of the peace.

Exh. 1. 56. A similar Order was passed by the Zillah Judge on the 29th November 1843, and the Tengalais were again told to institute a suit against any one who had injured them.

57. In 1845, it appears from D. D. that a Committee was appointed to assist the Dharmakarthas; but it does not appear that this has any thing to do with the present case except to prove that first defendant's father was selected as a member.

58. Exhibits. A. R. S. T. (from 1846 to 1850) are all to the same effect, viz:- that it is the Magistrate's business simply to preserve the peace, and if the Tengalais' rights are infringed they should apply to the Civil Court.

59. In 1850 apparently, there was another dispute about a mark which was erected over the entrance Roya Gopuram by the Tengalais and pulled down by *Vadagalai Rengasami Iyengar* who is styled in the* proceedings of the Sessions Court a church warden of the pagoda. The Tengalai's representative appears to have complained to the Magistrate and on his declining to interfere, to the Sessions Court which dismissed his complaint with the remark that the petitioner deserved severe punishment for presuming to put any marks at all on the pagoda.

*A. A.

60. This is the first instance of a dispute as to the distinguishing mark since 1835, and it is worthy of note that during the interval the Tengalai party had confined itself principally to asserting its apparently extravagant claims to perform ceremonies in the houses of the Vadagalais. It is also worthy of remark that the first Vadagalai Dharmakartha (1st Defendant's relative) had been appointed in December 1845. It will appear hereafter how he was connected with the dispute.

61. Exh. X. is filed to prove that one Vada Vyasa Bhutter a Tengalai was bound over to keep the peace between the 2 parties on the 24th January 1850, and is really of no importance either way.

Exh. XXIX 62. Mr. Maltby's decision in case No. 1 of 1850 gives a clear account of the condition of the parties at that time and shows how a Vadagalai came to be appointed a Dharmakartha, partly because he was supposed to be not in good terms with his own party. Mr. Maltby also gives an account of the dispute as to the new Tengalai mark on the entrance (Roya Gopuram) and charges *Rengasawmy Iyengar,* (1st defendant's relative) with being the cause of that disturbance.

63. It is evident that he was ready to assert the provisions of the decree of 1808 in favour of the Tengalais, for he speaks of their ancient and undoubted rights, and the case ended by his holding Rengasami and the 2nd defendant to security for Rs 500 each and the other 2 defendants (who were Tengalais) for Rs 200 and Rs 50 respectively.

64. From Exhibit. E. E. it appears that the Tengalais again attempted to assert their rights by miscellaneous petition instead of by regular suit. The complaint in that case being that the Vadagalais had recited parayanams &c over a corpse contrary to custom. The Judge (in Proceedings dated. 6-11-50.) remarked that the act complained of was a distinct grievance for which damages might be claimed by regular suit.

65. In spite of these clear and repeated instructions, the Tengalais simply appealed against the order to the Sadr Court, and of course their appeal was rejected as usual.

66. From Exhibit B. B, decree of the Civil Court in A. S. No. 41 of 1853 it appears that Rengasami Iyengar the Vadagalai Dharmakarta was adjudged in the Lower Court to pay damages for destroying the Tengalai mark over the entrance (Roya Gopuram) alluded to in paras 58 and 61, and that on appeal the decree was reversed, the Judge (Mr. Harris) holding with Mr. Greenway that Respondents had no business to put the mark up without written authority.

67. In 1858 another dispute took place and it seems that Mr. Greame then Head Assistant Magistrate issued a proclamation on the Subject which he afterwards withdrew (by Exh U) and told the parties in general terms that if there was any dispute about the performance of their respective ceremonies they should go to the Civil Court.

68. Exh. G. G: dated 18-7-1858 is a letter containing his reasons for withdrawing his first and issuing his second proclamation.

69. Exh. V. is another proceeding of the Fouzdari Adalat rejecting another miscellaneous petition of the Tengalais protesting against the proceedings of the Magistracy and the Sessions Judge in refusing to interfere in their behalf. It was of course dismissed, and there was a lull in the storm for about 5 years when, in 1863, the first dispute about *Nadamuni Alwar* took place, the Tengalais complaining that the Vadagalais had put their mark newly over the entrance to his shrine. Exh. V is Mr. Walhouse's order to the Sub-Magistrate to inquire into the complaint, and the result of the inquiry is stated in Exh. VI, namely that the mark should be removed. It may be remarked that on this occasion also there was the same dispute as the Vadagalai mark being old or new, and the same hardswearing by both parties.

70. Exh, No. VII (dated 3-7-1863,) is merely a supplemental order to the Sub-Magistrate on the same subject.

71. So harassing were these continual disputes that in August 1863, Mr. Nisbet the then Head Assistant determined to get a list of all the "Namams" within the Supthaprakaram of Srirangam; and accordingly issued an order on the 7th idem to the Managers, Virasamy Iyer, Peryasami Mudali (10th witness) and Parasura Sudarsana Bhutter (complainant) to prepare a list. They reported * accordingly on the 26th that they were engaged in preparing a list, but in the meantime they complained that several Vadagalai marks had been put up in different parts of the pagoda and also *inside Nadamuni Alwar's shrine*, and that it was quite unjust and contrary to custom &c., so they requested the Magistrate to come down and see them and have them removed.

* Exh. XXI.

72. This complaint of a Vadagalai mark *inside* Nadamuni Alwar's shrine is rather remarkable and the fact that nothing seems to have been said even then about *Nadamuni* himself always wearing a Vadagalai mark is in my opinion very significant. If he had had one in 1835 when the dispute about

Vedanta took place, it is almost certain that some allusion would have been made to the fact at the time.

* Exh. IX. 73. The List * of marks was duly prepared (15-9-1863) and the Managers say that there is *not even one Vadagalai mark* all over the Pagoda except some recently painted marks on the walls, and those above referred to in Nadamuni Alwar's shrine which they requested might be removed as having been put up quite recently.

74. This list would have been almost conclusive in favour of the Tengalais (especially as it is signed by Periasamy who is now hand and glove with the defendants) but that unfortunately no mention is made in it of the *Alwars*; though one witness (the 4th) who helped to prepare the list says that *all* the Alwars were inspected, and that *if there had been any Vadagalai marks on their heads*, they would have been entered, and this seems very reasonable; as to Peryasamy he relieves himself of all responsibility in the matter by admitting that he signed it without looking at it relying on the other trustees (who were Tengalais). But it is almost impossible he can have been ignorant of the unmistakeable tenor of their report and the only rational explanation of his evidence now is that he has changed sides since the date of the list and that his evidence is altogether untrustworthy for if as he now pretends, he had known then the existence of the Vadagalai marks he would certainly have protested against the trustees' sweeping assertion that there was not one legitimate Vadagalai mark in the temple.

75. In October 1863, came another complaint that the Vadakalais had put their mark over the *Dhunmuntri Kovil*; and Mr. Nisbet in his order of the 30th idem, orders an enquiry into it, and on the same day he passed

* Exhibit XII his decision * fining a Vadagalai named *Rangaiyangar* Rs. 1000 for putting a Vadagalai mark on the Nadamuni Alvar's shrine.

76. It is to be regretted that owing to the irregularity of his procedure

*Exhibit No. XI his decision was necessarily reversed on a * reference to the High Court; but the fact remains that the Vadakalais have never attempted to renew the mark and there can be no doubt that Mr. Nisbet was right on the facts and that the Deputy Magistrate's order had been disobeyed.

77. Exhibit W is an order of Mr. Lemon's dated 8th April 1864, on the complaint referred to above as to a new Vadagalai mark having been placed on the Dhunmuntri pagoda to the effect that it did not appear to him that there was anything in the complaint that required to be enquired into magisterially.

78. As to that of course his mere opinion unsupported by a word of argument is of very little weight, and he would probably have thought differently if he had an opportunity of reading the Judgment of the High Court in Mr. Nisbet's case (dated 21-7-64).

79. The clear exposition of the law in that decree seems to have had a considerable effect in keeping the rival sects or, rather the Vadakalais quiet for some time and (to judge from the documents) it was not till last December that another dispute took place.

80. There is nothing to shew conclusively what the immediate exciting cause of this dispute was; the complainant's accounts on behalf of the Tenkalais is that having heard that the Vadakalais intended to bring out *Vedantachari* and *Nadamuni Alvar* with Vadakalai marks on the occasion of the Kottai Utsavam (otherwise called the Yakadasi Festival) which lasted from the 20th December to 8th January, they went to the Acting District Magistrate on the 19th December and induced him to prohibit the idols from being so brought out.

81. The Vadakalais contend that this application was cunningly timed just before the Christmas Holidays, and that the Tenkalais were taking advantage of the fact that the chief officials in the District were new to make another attempt to assert claims which were altogether obsolete.

82. It was certainly a curious coincidence that the commencement of the Christmas Holidays should have so nearly coincided with the commencement of the feast and it is probable that the order of the 20th of December (which was dated 19th) would not have been made so absolute had it not been for the fact that the Courts were closing the next day; accordingly on cause being shewn the order was amended on the 6th January so as simply to warn the Vadagalais of the risk they ran if they did any thing not clearly sanctioned by custom or express authority.

83. The very night the revised order reached Srirangam the two Alvars were brought in procession with Vadagalai marks and the Tengalais objecting brought their complaint next day as they were expressly advised to do in the 2nd order referred to.

84. It has been urged that the authorities showed some bias in the issue of those two orders; and in confirmation of that view it has been alleged that the first order was published in Srirangum with much greater promptitude than the 2nd; but in point of fact there was not much difference, for, the rough draft of the 2nd order was only signed on the 6th and the proclamation was made about 8 or 9 the same evening; and moreover there was need for unusual expedition about the first as the Court closed the day after it was signed.

85. Then it is contended that unless it had been usual Rengasawmy (the first defendant) and *Periyaswami* would never have run the risk of bringing out the idols; but this argument assumes the whole question in dispute and I must say it seems to me far more reasonable (judging from the history of the dispute) to assume *apriori* that the Vadagalai party would seize any opportunity of encroaching on the rights of the Tenkalais than to assume that the Tenkalais would presume to suddenly invade any of the immemorial rights of the Vadakalais. I think indeed that considering the great wealth and influence of the 1st Defendant Rangasawmy, the opportunity was *more* favourable for them than for the Tenkalai.

86. It will be sufficiently apparent from the remarks made as to each of the documents filed that in my opinion the evidence to be derived from them preponderates decidedly in favour of the Tengalais. The Temple is undoubtedly a Tenkalai Temple, and Tenkalai marks are found all over it even over the entrance to the shrine of Vedantachari, the Vadakalai High Priest himself; and it was not denied that in processions a canopy with a Tengalai mark is carried over him. No Vadagalai mark has ever been put up without the most strennous opposition and the decree in O. S. No 130 of 1808 undoubtedly gave the Tengalais such absolute authority in the Supthaprakaram that it is impossible for me to suppose that they would have allowed such a manifest invasion of their rights especially when we find them persistently asserting claims which are apparently much more extravagant, namely, to perform ceremonies in the Vadagalai houses.

87. Not one of the documents filed for the defence has any real bearing on the question now at issue, except the depositions given in 1835, and in such a case as this when a really trustworthy deposition is not to be expected even now it would be ridiculous to lay any stress on depositions taken by a Head Peishkar in 1835, which were not even subjected to the test of cross-examination.

88.— Then the question is whether the oral evidence for the disfence is so clear* and trustworthy as to prove either that the Tengalais have set up an entire false case, well knowing that Vadagalai marks have always been worn by the two Alwars or that they have just found out the fact for the fist time.

*To show how inaccurate the information as to the idols is, it may be observed that Peryasami who is so positive about minute marks, did not know whether Vadanta's idols itself is copper or brass.

89. As to the supposition that they may have been ignorant of the fact that Vadagalai mark was always put on the idols, it seems scarcely neces-

sary to discuss it on account of the similar dispute as to Vedantachariar's mark in 1835 which was always vividly before both parties.

90. It is most unfortunate that no express order should have been passed then on the subject, but the fact that the Tengalais objected then to the Vadagalai mark on Vedantachari's forehead, though he as High Priest of the party was ceretainly more clearly entitled to the mark than any other Alwar proves conclusively to my mind that they would certainly have objected to a Vadagalai mark being placed on Nadamuni and as they have never done so till last year, and I am altogether unable to suppose that they could possibly have failed to observe the fact if it had come out with a Vadagalai mark considering how jealously they had guarded against the smallest attempts at any encroachments on their alleged exclusive rights and privileges, I cannot believe that Nadamuni *ever* came out with a Vadagalai mark before in spite of the assertions of so many such respectable witnesses, and so their evidence failing as to one point cannot be relied upon as to the other. The respectable witnesses of whom *Venkatachari* 15th witness for the defence is in every way the best specimen, *may* have been mistaken, and those who must know the facts perfectly well may have perjured themselves deliberately as it is quite clear many of the witnesses on one side or other *must* have done. But whatever the explanation may be, I can come to no other conclusion from a careful cosideration of the history of the dispute and the surrounding circumstances than that the two Alwars had been brought out *newly* with Vadagalai marks. It is not necessary to decide whether they wore Vadagalai marks in *their shrines* or not; and as they are admittedly in charge of Vadagalais it would be impossible for Tengalais to prevent their putting on Vadagalai marks when inside if they chose to do so.

91. Then as to the persons responsible for bringing them, the defendants 2 to 12 are identified by witnesses who must have known them well, and who could have had, so far as appears, no conceivable reason for naming the wrong persons. Many of them are servants of one Alwar or the other whose business it would be to attend and carry the idols; nearly all admitted that they accompanied them in the procession. None of them could say who actually carried the idols, but asserted that *none* of the defendants did! None of the defence witnesses could say who carried the idols, though they were all wonderfully certain that defendants did not! Only one pleaded an *alibi* and he afterwards declined to examine the witnesses to prove it, and it is evident that they, like the 1st defendant rest their defence on the plea that nothing was done contrary to custom. I see no reason to doubt therefore that all the defendants 2 to 12 were engaged in bringing out the Alwars with Vadagalai marks, but it is equally clear that they acted only as servants under the orders of their supeiors, and the complainants say, the person chiefly responsible for the act was 1st defendant *Rengaswamy*.

92. Mr. O'Sullivan contended that his written orders on the subject were not sufficient to bring him within the Criminal law and that the evidence as to his having given any verbal orders was altogether untrustworthy.

93. He also pleaded *alibi* but I observed that Mr. O'Sullivan did not lay much stress on the evidence to prove it, and taken by itself, it would be altogether unreliable and I think, inconclusive even if *generally* true.

94 But whether he actually gave verbal orders in so many words —— that the idols should be brought out with Vadagalai marks (according to the very questionable evidence of the complainant and other witnesses) if it is clearly presumable from his writen orders and from his position as the undoubted representative of the Vadagalai sect, that he and no one else or at any rate he chiefly gave orders for the offence to be committed, that appears to me to be sufficient.

95. I confess I do not understand Mr. O'Sullivan's argument that a

direct order in writing is not an abetment to commit an offence. On the contrary it is clear to me that in a case like this the person who issued the order to accomplices who as mere menial servants were practically bound to obey his orders would be unmistakably the *principal* in the offence committed in consequence of such abetment.

96. The document on which the prosecution rely to prove that 1st defendant ordered the Alwar to be brought out with Vadagalai marks is that marked M. M which is an order by the two Managers Rangasami (1st defendant) and Peryasami (10th witness) to the Acting Head Peishkar that honors are to be done to the 2 Alwars if they are brought out as usual by the Vadagalai party.

97. Now as 1st Defendant still contends that it is usual to bring them out with Vadagalai marks, this could only be intended to mean to authorize their being brought out with Vadagalai marks, however cautiously the order may have been worded; and it is clear that this *was* intended from the passage following, which shows that objections were anticipated and instructions were given that if the Pagoda servants refused to pay the honors, men should be engaged on purpose and the ceremonies performed without hindrance, the Tahsildar being applied to in the last resource for assistance to *compel* the pagoda servants to submit. It is pretty clear from this alone that the 1st Defendant meant the idols to be carried with *Vadakalai* marks and was quite prepared to carry out his orders by force if necssary.

98. It is scarcely necessary to observe that the fact that Periyasami also signed this order does not relieve Rangaswami of his share of responsibility and it appears that Periyasami left Trichy for Madras the same day, and was therefore responsible no further. Reasons are given further on for considering that Periyasami acted throughout under Rengasami's instigation. To show what interest was taken in the matter by these managers it is only necessary to observe that their order detailing what was to be done was signed and in the hands of the Head Peishcar before the Magistrate's order referred to in it was actually issued or probably even drafted.

99. The order is explained to the Korattumaniyam by the Peishcar's * order of the same date that the Alvars are to receive their usual honors in spite of objections.

* Exhibit XV

100. The *Yadast to the Tahsildar, which was not received by him, he says, till about midnight, was still more explicit as to the marks, and the Tahsildar is expressly requested to assist the Head Peishkar in doing the honors to the Alvars in spite of their wearing Vadagalai marks.

* Exhibit XVI

101 Moreover it is admitted that Rengasmi was in the temple just before the Alwars were brought out, and considering the discussion there had been, and the very strong view that has been adopted by the Acting Magistrate it is impossible to suppose that the servants of the temples would not have fortified themselves with his dirtct authority before bringing them out.

102. There are other documents corrobarative of this view and which prove at any rate the strong interest taken in the question by Periyasami and Rangasami. The first of these is a *Yadast, dated 20th December, in reply to one of the same date (J. J.) from the Head Peishcar representing that objections had been made to Vedanta's being taken with Vadakalai mark and asking for orders.

*Exh. XX.

103. The reply is so ambiguously worded that it would appear as if the Peishkar (a madhva) wanted to inveigle the managers into giving an express order, as to the marks; and that they were determined not to do so and therefore contented themselves with venting their indignation on the Head Peishkar as they probably suspected he was playing them false. So that the only order he got was a threat of dismissal if things did not go on properly, and ultimately in reply to more urgent demands for orders the *order

*Exhibi XVII

suspending him dated 21-12 1873.

104. This order of suspension is a most remarkable document and shews most plainly the bias of the managers who signed it. The reasons assigned for suspending the Head Peishcar are really no reasons, and Periyasami when cross-examined as to them could give no reasonable explanation of the order. It is impossible to doubt that Appasami Aiyar was suspended on the 21st December because he was believed to consider the Vadagalai marks contrary to custom, and because he would not carry out the procession without the express orders of the managers. Periyasami's explanation was that he should have carried out the procession without hindrance, and being pressed to say what he was to do if the Stalattars objected, he said, he should have reported, which is exactly what he *did and yet he was immediately suspended, a number of other reasons being added, evidently merely as excuses for the severity of the order.

*In J. J., K. K., M. M.

105. To prove the influence and interfering character of *Rangasami*, it is only necessary to read the depositions and the exhibits XXII, XXIII & XXIV (dated February, March and April 187) which are letters from Periyasami to the Devastanam Committee detailing all the mischief Rangasami was doing.

106. It is not denied that *Rangasami* is one of the chief men of the Vadagalai sect and he appears to have been appointed Manager pretty much as his relatve was because he was thought to be not on good terms with his own party. He was however, dismissed by the Civil Court on the complaint of the other Dhurmakartas, and only restored on appeal to the High Court on May last year. It is not surprising if after that he should have been eager to assert his authority again and as a man of evident abilities and considerable boldness the course he appears to have adopted is what might have been expected of him.

107. It is scarcely too much to say that there was no one else who was sufficiently interested as a Vadagalai, and sufficiently powerful as an individual, to attempt such a lofty enterprise.

108. As to Periyasami it is clear that he is now altogether under Rangasamy's thumb and explanation of the marvellous change that has taken place in his sentiments as to Rangasami and the Vadagalai marks seems to be really his indebtedness to *Rangasami* which state of indebtedness and dependency also sufficiently accounts for the evidence of a good many of the defence witnesses.

109. Some other documents have been filed such as Mahazarnamas against Rangasami to prove enmity &c., but they are none of them, I think, of any importance. Enmity may be fairly assumed in such a case but it does not alter facts, and as I have come to the conclusion that the 2 Alwars *Nadamuni* and *Vadantachari* were *newly* brought out with Vadagalai marks at the last feast, and that the defendants 2 to 12, were engaged personally in bringing them and that the 1st defendant expressly ordered them to be brought, it only remains to pass sentence on them all. I am aware that much more might be said (especially on the side of the prosecution) but my summary has already run to a most inordinate length and I hope I may have stated the evidence with sufficient clearness and fullness to enable the Appellate Court to ascertain what it is.

110. I should have preferred to send the case for trial after hearing all the evidence, but did not feel that I should have been justified in causing such a further expenditure of public time as would have been involved in the re-examination of all the witnsss.

111. After a good deal of hesitation I have come to the conclusion that it is not an offence which requires to be punished with imprisonment, but I should think anything less than the maximum amount of fine quite inadequate

in the case of the 1st defendant. In case the conviction is upheld, if the Appellate court should differ as to imprisonment, the punishment can be altered accordingly under the provisions of S. 280. of C. C. P. and this was another reason for not committing the case for trial.

112. Some stress was laid upon the fact that the chief native officials in the Collector's office and in the Court are Tengalais, but this may easily have happend because they were the fittest persons for the appointment; it is not likely that the officers who appointed them either knew or cared whether they were Tengalais or Vadagalais and it happens that the last appointment of importance made was that of Singam Iyengar (a Vadagalai) as public prosecutor. It is true I did not know he was a Vadagalai and certainly no whisper of objection was made on that score; not even anonymously.

113. The documents filed for the prosecution are marked 1 and so on, & those for the defence A. and so on.

(Signed) J. B. Pennington

District Magistrate,

P. S.—After having all the evidence I thought it desirable to go again and refresh my memory as to the idols in question, and the chapels in which they are placed. I went accordingly and found that Vedantachari's chapel has a very distinct Tengalai mark over the entrance which is evidently not recent.

The idol shewn me as that in dispute is of copper and has an embossed Vadagalai mark which certainly could not be distinguished without pretty close and careful inspection. The idol is seated and with its pedestal, is about a foot high. There is another very small idol in the same chapel with the face of a horse; it is about 6 inches high.

There is also a stone idol of Vedanta at the back of the shrine with a Vadagalai mark and 2 other stone idols of different gods in a side chamber as well as a collection of very small images of no apparent importance. In Nadamuni Alvar's chapel I found one idol in a *standing* position with an embossed Vadagalai mark which certainly looks as if it might have been altered as there are distinct marks at the bottom of the V. (Vadagalai namum). There was also an idol of Krishnasami with no mark and a third of Lakshmi with the Tillakam.

There was *no* distinctive mark over the entrance door way of Nadamuni chapel, but inside both chapels were several marks, all Vadagalai of course.

(Signed) J. B. PENNINGTON

Ag. Dt: Magistrate,

COLUMN VIII. *Finding and sentence.* The Court finds that the prisoners 2. Seshagiri Iyengar 3. Kristna Iyengar. 4. Ramasami Iyengar. 5. Dorasami Iyengar. 6. Puliyur Narayana Iyengar. 7. Regunada Iyengar. 8. Srinivasa Iyengar. 9. Kristnasami Iyengar. 10. Sundaram Iyengar. 11. Vedantam Iyengar. and 12. Kusturi Iyengar. are guilty of the offences specified in the 1st 2nd 3rd and 4th Counts in the charge; viz:- that they intentionally insulted and gave provocation to the complainant and others intending or knowing it to be likely that such provocation would cause them to break the public peace; that they malignantly or wantonly by doing an illegal act gave provocation to the complainant and others intending or knowing it to be likely that such provocation would cause the offence of rioting to be committed; that they voluntarily caused disturbance to an assembly lawfully engaged in the performance of religious worship or religious ceremonies and that they, with the deliberate intention of wounding the religious feelings of the complainant and others, placed an object in their sight, and that they have thereby committed offences punishable under Ss. 504, 153, 296, and 298 of the I. P. C.

The Court finds that the 1st prisoner Kodyalum Rengasami Iyengar is not

guilty of the offences specified in the 1st 2nd 3rd and 4th counts of the charge, but is guilty of the offence, specified in the 5th count, viz, that he abetted the prisoners 2nd to 12th in the commission of the above offences and thereby committed an offence punishable under Ss. 504, 153, 296, 298, and 109 of the I. P. C.

The Court therefore directs that the said 1st prisoner Kodyalam Rengasami Iyengar do pay a fine of Rs 1000 and in default of payment that he be kept to simple imprisonment for a term of 6 months and that the prisoners 2nd Seshagiri Iyengar, 3rd Kristna Iyengar, 4th Ramasami Iyengar, 5th Dorasami Iyengar, 6th Pulyur Narayana Iyengar, 7th Regunada Iyengar, 8th Srinivasa Iyengar, 9th Kristnasami Iyengar, 10th Sundaram Iyengar, 11th Vedantam Iyengar, and 12th Kusturi Iyengar do pay a fine of Rs 51 each and in default of payment be kept to simple imprisonment for a term of 6 months each.

The Court further orders that the fine or so much of it as may be realized be paid to the complainant as compensation for expenses incurred in this prosecution under clause 1. S. 308. C. C. P.

Fine Collected.

COLUMN. IX. *Date of offence.* 6th January 1874.

" X. *Date of Complaint.* 8th January 1874.

" XI. *Date of apprehension or appearance* } 17th January 1874.

" XII. *Date of commencing trial.* 17th January 1874.

" XIII. *Date of Sentence.* 20th March 1874.

" XIV. *Explanation of delay:*— This being a case of very great importance, the inquiry was unavoidably prolonged for about 2 months. Some of the witness were Government officials and had to be summoned from several districts. On this account as well as at the request of the Counsel of both sides, the case had to be adjourned from time to time. The case was closed on the 13th March but the sentence was reserved till the 20th to enable the Magistrate to go through the records. The delay in submitting the calender is owing to its great length.

Trichinopoly } (Signed) J. B. PENNINGTON
28—3—74 } Ag. Dt. Magistrate.

[Third Isthiar by Mr. Pennington]

NOTICE UNDER SECTION 518. C. C. P:—

As it appears to the Acting Magistrate to have been clearly proved by the evidence in Case No. 9 of 1874 on this file that the practice of putting up Vadagalai marks *anywhere* within the precincts of the Srirangam Supthaprakaram is unauthorized and likely to cause disturbance, the putting up of any such marks is hereby prohibited; and notice is hereby given that any person found putting any Vadagalai mark on the exterior walls of any part of the Srirangam Pagoda or on the enclosure walls of the said Pagoda is liable to prosecution under section 188 of the I. P. C. for disobedience to this order.

Trichinopoly } *Signed.* **J. B. PENNINGTON,**
Magistrate's office }
22nd April 1874. } *Acting District Magistrate.*

NOTICE.

UNDER SECTION

518 C. C. P.

As it appears to the Acting Magistrate to have been clearly proved by the evidence in the case No. 9 of 1874 on this Court's file that the practice of putting Vadagalai marks any where within the precincts of Srirungam Sapthapracaram is unauthorized and likely to cause disturbance. The putting up of any such marks is hereby prohibited and notice is hereby given that any person found putting any Vadagalai marks on the exterior walls of any part of the Srirungam pagoda or on the enclosure Walls of the said pagoda is liable to prosecution under Section 188 of the Indian Penal Code for the disobedience of the order.

(Signed) J. B. PENNINGTON,
Acting District Magistrate.

TRICHNOPOLY,
MAG OFFI,
22nd April 1874.

கி. பு. கோடு

௫௱௰௮-வது பிரிவுப்படி.

இந்த ஆபீசில் 1874-ம் வருஷத்திய கியாலெண்டர் 9
கேஸின் சாக்ஷி யத்தினால் ஸ்ரீ ரங்கம் ஸப்த பிராக
ரத்துள் யெந்தவிடத்திலும் வடகலை நாமத்தை வை
கிறவழக்கம் ஆதாரமில்லாத தென்றும் கலகமுண்
கும் படியானதா யிருப்பதாய். ஆ. டி. மேஜிஸ்தி
ட்டா ரவர்களுக்கு தெளிவாய் ருஜுப்படுத்தப் பட்டி
ப்பதாக தெரியவருகிறபடியினாலே அப்படிப்பட்ட ந
ங்கள் வைக்கிறதை இதனால் கண்டிப்பாய் தடுக்கப்
கிறது.

ஸ்ரீரங்கம் தேவஸ்தானத்தின் யெந்த பாகத்தி
ச்சும் சுவர்களில் வெளி புறங்களிலாவது யெ- தேவ
ஸ்தானத்தின் மதில்களிலாவது வடகலை நாமத்தை யெ
வனாவது போட்டதாக தெரியவந்தால் அவனிந்த உத்
வுக்குகீழ்ப்படியாமைக்காக இந்தியன் பினல் கோடு 1
வது பிரிவுப்படி மேஜிஸ்திரேட்டு தரப்பில் விசாரணை
குள் படுத்தப் படுவான்.

(Signed) J. B. PENNINGTON,
Acting District Magistra

திருச்சிநாப்பள்ளி,
1874வரு
ஏப்ரல்மீ 22உ

22nd July 1874.

In the Sessions Court of Trichinopoly, Wednesday the 22nd day of July 1874.

PRESENT.

E. F. WEBSTER Esq., SESSIONS JUDGE.

Criminal Appeal, No. 8 of 1874.

Kodialam Rengasawmi Aiyengar and 10 others............Appellants.

(1st to 6 and 8 to 12th Prisoners).

Appeal against the sentence of the Acting District Magistrate of Trichinopoly in Case No. 9 of the Calender for 1874.

This appeal coming on for hearing; upon perusing the petition of appeal, the calender and sentence and the record of the case, and upon hearing the arguments of Mr P. O'Sullivan, Counsel for the 1st Appellant, and K. Singam Aiengar, Vakil for all the Appellants, and Mr. G. Johnstone, Counsel for the Prosecution, the Court passed the following order:—

1. This is an appeal from the Court of the Acting Magistrate of the District.

2. The Appellants 2 to 12 were convicted of offences punishable under Sections 504, 153, 296 and 298 of the Indian Penal Code, and the 1st Appellant was convicted under Section 109, of abetment of the abvoe offences.

3. It appears from the record, that on the 19th of last December Mr. Pennington, Acting Magistrate of the District, issued an order under Section 518 of the Code of Criminal Procedure, directing "that no Vadagalai mark is to be erected, and no idol with the Vadagalai mark taken in procession within the limits of the Srirangam Sapta Prakaram under penalty of prosecution under Section 188 of the Indian Penal Code.

4. This order appears to have been issued exparte, and without any written complaint setting out reasons to believe it likely that a riot or affray would take place, if such order was withheld. On the 6th January Mr. Pennington withdrew it and substituted another order, marked B and couched in the following terms:—

"On re-consideration of the whole subject referred to by the parties in this dispute, it seems to be advisable not to attempt to define in any way what either party is entitled to do; but to notify instead that nothing is to be done contrary to custom or the order of any Court under pain of prosecution".

"The order of this Court dated 19th December 1873 which the Vadagalai party complain of will therefore be withdrawn, and the following notification will be substituted."

"It is hereby notified that if the partisan of any sect attempts to set up any mark within the limits of the Srirangam Sapta Prakaram or to do any act contr[illegible] to immemorial custom or to any order of the Courts, he will render himself l[illegible] to prosecution under Section 504 of the Penal Code, and will on conviction b[illegible] severely dealt with."

"Any party aggrieved by such illegal act is therefore directed to lay a charge under that section, and not on any account to interfere personally or to attempt to enforce his supposed rights by violence: as any such attempt will amount to the offence of rioting and will be dealt with accordingly."

5. The same evening two idols were carried in procession in the Great Srirangam Pagoda bearing on their foreheads the mark peculiar to the Vadagalai sect of Vishnuvites. Upon this the Tengalais complained to the Magistrate that their religious feelings had been wounded, their privileges in this Great Temple invaded, and they themselves insulted. An investigation was made which resulted in the conviction of those Vadagalais who now appeal from the sentence passed on them.

6. Before proceeding to deal with the facts I must express my regret that the Magistrate did not show more firmness in dealing with this case, when he found it necessary to issue summary orders under Section 518 of the Code of Criminal Procedure.

7. The first order, dated December 19th, clearly went upon the ground that the Magistrate apprehended a breach of the peace. What then were the circumstances which led him to alter his opinion and to withdraw his order? So far as the record shows there was nothing except a petition put in by the Vadagalais praying that this order might be rescinded, and upon this petition the Magistrate cancelled his first order and issued a second, couched in vague and uncertain language, containing no direction to abstain from any specific act but a warning that any person acting contrary to custom would be punished—and directing those who might feel aggrieved by any such act not to take the law into their own hands, but to apply to the Magistrate for redress.

8. It is impossible to read this order without perceiving the impression in the Magistrate's mind that all was not likely to pass as smoothly and peaceably as the Vadagalais would have him believe.

9. The first order would have preserved the peace—it would have nipped in the bud the whole of this dispute which has now occupied so much public time, which has cost so much money, and which has left the rival sects with feelings of more bitter animosity than ever.

10. The second order forbade nothing, but threatened everything. It held out an inducement to people to cry out that something contrary to custom had been done by the Vadagalais during the feast, and it declared that everything contrary to custom would be punished as tending to create a riot.

11. Turning to the judgment of the Magistrate I find a very elaborate account given of the history of these two rival sects, from the year 1803 down to the present time. When examined, this history will be found to be divisible into three epochs, 1st in 1808, 2ndly 1835, and lastly 1863-64.

12. In 1808 a decision was passed in the Zillah Court of Trichinopoly in O. S. No. 130 of 1808, declaring the Tengalais to be the "*Dictators*" in the Srirangam T—ple and placing the Vadagalais subordinate to them in the performance of all …s rites and observances. There is a Mass of documentary evidence filed …consists of orders passed by Collectors and of decisions of Courts of various …, all showing that the Tengalais were regarded as masters of the situation …o the year 1835. There is not a scintilla of evidence, nor a shadow of a rea-

e that down to that year the Vadagalais had ever brought out their idols, festival, with the Vadagalai mark on their foreheads. The whole orders and decisions points distinctly the other way, and the earliest do- record relating to this subject. No. XIII also speaks of Vedantachariyar e two idols brought out at the feast with a Vadagalai namam or mark) as belonging to the Tengalais.

13. In September 1835, complaints were made that a Vadagalai mark had been substituted for the Tengalai mark outside Vedantachariyar's shrine. The Tengalai mark was ordered by the Collector to be restored. (Ex. IV.)

14. In October of the same year the Tengalais complained that the Vadagalais had brought out their idol with a Vadagalai mark which they stated to be contrary to custom (Vide Ex. II, III & Z.) This complaint was referred to the Peishkar who persuaded the Tengalais to pay the usual honors to the idol. Whatever his decision was, the real value of these Exhibits as evidence here is, that they show beyond all controversy that in 1835 the Tengalais complained of the very same acts which they say now, as they said then, are contrary to the usages observed in the Srirangam Pagoda.

15. It is unnecessary for me to set out all the particulars of the constant disputes which took place between these two sects from the year 1835 to 1863, or to detail the orders passed on the complaints laid. There is however not a single complaint made during this time to the effect that Vadagalai idols have been brought out in procession with Vadagalai mark, and the reason of this is to my mind abundantly clear, namely because they were not in fact so carried. When I look at the previous history of these two parties, at the decision in favor of the Tengalais passed in 1808, at the persistence with which they held to their rights to enter the houses of Vadagalais and at their actually fighting over the comparatively trivial right of praying over a Vadagalai corpse (Vide L). When I remember all this, I feel confident that the Tengalais would never have permitt to carry their idols in procession with Vadagalai marks without strongest manner to the District authorities; and therefore whe ... 1863, I con of any such complaint made from the year 1835 to ... a matter of fact the Vadagalais neve to the ... idols.

16. I pass on to the year 1863. Mr. Nisbett the then trate directed a list of marks existing in the Temple to be ma in submitting their list say there are no Vadagalai marks some painted marks which are apparently recent. A good d list at the hearing of the Appeal, and it was attempted to sho correct or exhaustive. The question appears to me to be b issue which is not whether there are or not Vadagalai marks

17. It was in this year that the last attempt was mad place their marks in the Pagoda. Exhibit XII. sho Vadagalai for putting such a mark over one of t Judgment of the High Court reversing the d sing in the strongest terms and in language tha the conviction of the Judges that the attempt t Law, that the tendency of such an act would b

the fine of 1,000 Rs. imposed by the Magistrate was not excessive
is so important that I think it right to set out parts of it here.

The Head Assistant Magistrate fined a Vadagalai 1,000 Rs.
Vadagalai mark in the Srirangam Temple. As however it appeare
literally no evidence that the prisoner had committed the offence,
reversed. The High Court however write " To avoid all misapprehension we think it necessary to state that the act, if committed, would in our opinion clearly fall within the provisions of Section 188. The order of the Magistrate was merely a reiteration of orders, which have been in force for a period of many years, forbidding the setting up of Vadagalai marks in this Pagoda. We are quite unable to assent to the argument of the Appellant's counsel, that the setting up of such a mark is only a reasonable exercise of liberty The act, in the place in which it was done, precisely resembles the act of a zealous Protestant who should be rash or wicked enough to scrawl "No popery" in a Roman Catholic church situate in the midst of the excitable and not highly instructed population of an Irish country. There could be no question of the tendency of such an act to create a riot or affray—even, therefore, if such a question would be open to us we should come unhesitatingly to the conclusion that the tendency is clearly made out."

18. From the date of this decision down to last January when the present dispute arose, no further attempt was made by the Vadagalais to carry their idols in procession with Vadagalai marks.

19. There is, therefore, judging the case by the light of the Documents filed, the very strongest evidence to show that not only has the right of the Vadagalais to bring out their idols with Vadagalai marks never been acknowledged, but that in 1835 when such an attempt was made it met with the strongest opposition on the part of the Tengalais

to the oral evidence for the defence, I find that it goes to
Nadamuni Alvar and Vedantachariai always wore Vadaga-

ing these stat
eight, because I find them opposed to tl
308. I do not say that the witnesses i
that they have always believed that thes
cessions, but at all events they cannot s
aware, that it was customary to bring these idols out with Va-
that as there was nothing unusual in doing so this year there
ulted the Tengalais, knowing that it was likely
of the peace—which is the principal question

documentary evidence which I have set out
he act of carrying the idols with Vadagalai
rangam was an insult to the Tengalais, and
use a breach of the peace.

to whether the 1st Defendant can be legally
ther the other appellants are the persons who

The contention was that there was no evidence to connect 1st Prisoner [illegible]rrying of the idols, that although it is true he ordered them to be carried, [illegible]der did not reach the persons who took out the idols until they had actually [illegible]m in procession, and that it was not in pursuance of the 1st appellant's order that they were so carried.

25. Now the 1st appellant is a Trustee of the Pagoda and a Vadagalai and I find that on the day on which the Magistrate withdrew his first order and substituted his second, namely on the 6th January, this man wrote the order marked M. M. directing the Peishkar to see that honors are paid to the Vadagalai idols when brought out in procession. The order goes on to instruct the Peishkar what to do if "anybody objects to the performance of the honors". Further on it is stated "and if the servants still persist in not performing the honors," and a third time "if any still object to perform the honors, inform the same to the Taluq Magistrate and get from him the assistance required," showing that the writer apprehended that his orders would not be carried out without remonstrance and resistance.

26. Now Exhibit XV shows that M. M. was communicated to the Peishkar, who in the course of his duty wrote to the Monigar as follows:—"The Managers have sent me an order that the Magistrate had revoked his former order * * * you will get the usual honors paid. If any of the servants raise objections, engage men at the Pagoda expense".

27. The Peishkar in the course of his examination before the Magistrate as 22nd witness for the defence, says he got the order from the 1st Appellant M M at 2 P. M. on the day the idols were taken out, but that he didn't write his direction to the Monigar Exhibit XV till 9 P. M. At the end of his deposition, he says, I had to wait till I knew that the Magistrate's order really had been cancelled before I wrote the order XV.

28. The 2nd witness for the prosecution is the Monigar. Part of his duty appears to be to "attend to the inner temples" and "to see that ceremonies are properly performed." He says "the Peishkar gives me orders." I received order from him marked XV *and acted upon it*. I saw 1st Defendant that night before the idols were brought to the Mantapam—he was giving orders to the Peishkar. Nadamuni Alwar was brought in procession the following day, "then he had a Vadagalai mark" and so had Vedantachariar.

29. Add to this evidence the testimony of the 1st, 7th, 8th and 9th witnesses who say they saw 1st Defendant in the Temple and heard him give orders to bring out the 2 idols with Vadagalai marks, and no room is left for a reasonable doubt as to the idols having been brought out in procession with vadagalai marks in pursuance of the orders of the 1st Defendant.

30. Then as to his knowledge that such an order was likely to cause a breach of peace the repeated instructions written by him in M. M. as to what was to be done if the people would not pay proper respect to the idols, and his [illegible] Exhibit No. XVI to the Tahsildar for assistance to put down any resistance on the part of the people, prove beyond a doubt that he not only knew that a breach of the peace was probable, but that it was almost certain to follow the execution of his orders.

31. The chain of evidence is therefore without a flaw, and I ha[...] that the conviction is right and ought to stand.

32. As to the Appellants 2 to 12.

The 1st witness says they are Pagoda servants and that the 4th [...] 1st Appellant for orders as to bringing out the idols, and acting under his authority they brought them out. The 7th, 8th and 9th witnesses say that one of the idols was carried by the 2nd, 3rd, 6th and 12th Appellants, the other god being carried by the 5th, 9th, 10th and 11th Appellants, while the 7th carried a torch in front of them, and 8th defendant was holding the jewels worn by the idol to prevent them from being lost.

If it were necessary to decide the point I should find some difficulty in agreeing with the Magistrate that an offence has been committed under Section 298 of the Penal Code.

33. The deliberate intention in this case was clearly not to wound the religious feelings of others but to assert a right. The conviction however under Section 504 of the Indian Penal Code is right, and it is therefore unnecessary to discuss this point further.

34. Appeal dismissed.

(True Extract)

(Signed) FORSTER WEBSTER,
Sessions Judge.

22*nd July* 1874.

In the High Court of Judicature at Madras.

Memorandum of Criminal Petition.

30*th October* 1874

Before the Acting District Magistrate of Trichinopoly, Calender Case No. 9 of 1874.
Before the Sessions Court of Trichinopoly, Criminal Appeal No. 8 of 1874.

Before the High Court of Judicature at Madras, Criminal Petition No. 421 of 1874.

	In the Court of 1st Instance.	In the Lower Appeal Court.	In the High Court of Judicature.
Rengasawmy Iyengar and 9 others.	1, 2, 3, 5, 6, 8, 9, 10, 11 and 12 prisoners.	Appellants.	Petitioners.

The aforesaid Petitioners beg that the records in the said case may be called for under Section 294 of the Code of Criminal Procedure and the conviction of the Petitioners quashed under section 297 of the said Code for the following among other reasons.

1. Upon the findings of the Sessions Judge in appeal no offence has been established against the Defendants.

BHASHYAM IYENGAR,
for P. O'SULLIVAN,
Counsel for Petitioners.

30*th October* 1874. (Signed) V. BHASHYAM IYENGAR,
Vakil for 1, 2, 3, 5, 6, 8, 9 *and* 10 *Petitioners.*

One Rupee Stamp.

25th November 1874.

In the High Court of Judicature at Madras.

Wednesday the 25th November 1874.

Present—The Honorable Sir Walter Morgan, Knight Chief Justice

The Honorable Mr. Justice Holloway

Criminal Petition No. 421 of 1874.

Kodyalam Rengasawmi Iyengar, Sesha Iyengar, Kristna Iyengar, Dorasawmi Iyengar, Pulyoor Narayana Iyengar, Srinivasa Iyengar, Krishnasami Iyengar, Soondram Iyengar, Vathantha Iyengar and Kusthuri Iyengar.

Petition under Section 294 of the Criminal Procedure Code praying the High Court to revise the finding and sentence of the District Magistrate of Trichinopoly in case No. 9 of 1874, confirmed on appeal by the Court of Sessions of Trichinopoly

Order:—This petition coming on for hearing, upon perusing the petition, the proceedings of the Court of Sessions and the finding and the sentence of the District Magistrate and upon hearing the arguments of Mr. O'Sullivan, Counsel for all and Bachyam Iyengar, Vakil for the 1st, 2nd, 3rd, 5th, 6th, 8th, 9th and 10th Petitioners and of Mr. Johnstone, Counsel for the prosecution, it is ordered that this petition be and the same hereby is dismissed by the Court.

(Signed) T. WEIR,
Acting Registrar, Appellate Side.

(True Copy)

(Signed) MORGAN,
Deputy Registrar, Appellate Side.

20th May 1875.

Government of Madras.

Petition Department.

Endorsement on No. 1173 of 1875.

Petitioners are informed that the Government see no reason to interfere with the decision of the Magistrate, confirmed by the Sessions Court, and left undisturbed by the High Court on appeal.

(By order)

FORT ST. GEORGE,
20th May 1875.

[Signed] W. M. SCHARLIEB.
Assistant Secretary to Governmet.

21st July 1875.

To the District Court of Trichinoploy.

Plaintiff.	*versus.*	*Defendant.*
Kodialam Rungasamy Iyengar.		Parasara Sudarsana Batter.

Valuation of the suit is rupees 2,600, viz., pecinary damages rupees 2,500, and the value for cancelling an order and for establishing a right is rupees 100.

Plaint under Section 26, Civil Procedure Code.

1. The plaintiff is one of the two permanent managers of Srirangam devastanam.

2. The power or the situation of the said manager is to be obtained under the Act passed by Government. The Government clearly passing orders to the effect that the managers shall independently and without being subject to the authority of any superiors manage all the affairs of the pagoda with all rights, and that persons affected by the acts of the managers shall obtain justice through Civil Court, delivered the said devastanam to the managers, and the managers are accordingly conducting the affairs.

3. While so, the defendant without any cause whatever, and contrary to orders and decrees, having represented certain false circumstances to the Magistrate of this District on the 19th December 1873. that officer published a proclamation *ex parte* stating that no Vadagalai Namam should be put in Sreerangam Sapttaprakarem and that Vadagalai idols *should not be brought* out. Thereby Vedantachari, the guroo of Vadagalais and Nadamuni Alvar who came to worship Ranganadasamy during the festival of Cottagai ootchavam of that year, were prevented from receiving their respects according to custom by the defendant, &c., and there was defect in the ootchavam itself.

4. The persons attached to the said Alwar covil not only presented petitions stating that the said proclamation was not just, and that it should be cancelled, but also the managers of the pagoda, viz., the plaintiff and D. Periasamy Moodeliar a sivite and a very wealthy and respectable person represented that the said proclamation was not right, and that thereby the conduct of the festival was impeded Thereupon the same Magistrate cancelled the proclamation, and issued a 2nd proclamation on the 6th Jruuary 1874 providing that it should be done according to mamool.

5. According to the former proceedings, as it is just to make respects to the said 2 Alvars who came for the said festival, and that if the respect were not made to them as the Agobalaseer who is very respectable and the Overseer of Vadanthachary Covil and the owners of Nadamuni Alvar Covil were likely to institute heavy suits in Civil Courts, the plaintiff and the said Periasamy Moodeliar who are managers passed an order under the authority vested in them to the effect that if the people of the said Alvar Covils bring the Alvars according to custom, respects should be made to them in conformity with the mamool. After the peishkar has done the respects to the Alvars according to custom, the defentant again presented a complaint to the same Magistrate stating that the Alvars were brought with Vadagalai Namams before Ranganadasamy newly, that it is hurtful to the religious feelings of the defendant and other Tengalais, and that the plaintiff did the respects and aided

it. The Magistrate, contrary to former orders and interfering with the authority of the plaintiff, decided in Calender Case No. 9 of 1874 that iven by plaintiff, &c. to the peishkar was wrong, and imposed a fine of Rs the plaintiff. This decision has been upheld in appeal also.

6. Thereby *the authority of the plaintiff is decreased,* and it is difficult to conduct many affairs of the said great devastanam; besides the plaintiff who is sufficiently a man of position has greatly sustained loss of *reputation and loss of money by the acts of the* defendant.

7. In the forehead of Vadanthachary, &c, who is of Vadagalai sect and who is guroo to that sectarieus there are Vadagalai Namams cast at the same time when the idols themselves were cast. By putting a namam over it there is no defect to the rights of Tengalais, nor is it open to ridicule, nor is it hurtful to their religious feelings

8. The Civil Courts alone have authority to decide whether the acts done by the managers about the mamool to be observed in devastanams are correct or not, and the Magistrates have nothing to do with them.

The Plaintiff requests that a decree may be passed declering that the decision of the Magistrate in question and the appeal decision passed thereon are not right, and that the order issued by the plaintiff, &c , to the peishcar under his authority as manager is correct, and establishing the right for doing respects to the said Alwar, and interdicting the defendant from interfering with it, and adjudging the defendant to pay plaintiff rupees 2,500, being the pecuniary damages substained by plaintiff from the act of defendant.

The defendant may be decreed to pay the pecuniary damages, rupees 2,500, together with the cost of the suit.

21st July 1875

(Signed) K. SINGAM,
Pleader.

(Here enter the vertification).

(Signed) RUNGASAMY IYENGAR,

The pryer is in effect an attempt to reverse the decision passed by a Magistrate and upheld in appeal.

It appears to me that the plaint discloses no cause of action and I therefore reject it.

25—2—75.

(Signed) FORSTER WEBSTER.

MEMORANDUM OF REGULAR APPEAL

Before the High Court of Judicature at Madras.

Rugular Appeal No. 6 *of* 1876.

	In the Court of First Instance.	In the High Court.
Kodiyalam Rungasami Iyengar ...	*Plaintiff.*	*Appellant.*
versus		
Sudarsana Bhuttur	*Defendant.*	*Respondent.*

The petitioner aforesaid begs to appeal against so much of the order of the District Judge of Trichinopoly, dated 25th September 1875, as relates to the establishment of plaintiff's right for the following reason :—

1. The plaint does disclose a legal cause of action, and the suit is maintainable.

MADRAS,
10th January 1876.

V. BHASHYAM IYENGAR,
Vakil.

[N.B.—*This appeal was dismissed. For the High Court Judgment in this appeal see page of this book.*]

(Plaint in O. S. 18/1875 Coimbatore Court.)

21st July 1875.

திருச்சினாப்பள்ளி டிஸ்திரிக்ட்டு கோர்ட்டாரவர்கள் சமூகத்துக்கு.

வாதி.

திருச்சினாப்பள்ளி தாலூகா ஸ்ரீரங்கத்திலிருக்கும் நாதமுனி ஸ்ரீநிவாச அய்யங்கார் குமாரன் இராமசுவாமி அய்யங்கார்.

அந்தஸ்து, மிராசு.

பிரதிவாதிகள்.

ஷை ஸ்ரீரங்கத்திலிருக்கும் பராசரசு தரிசன பட்டர் 1. கொடிபாலம் ரெங்கசாமி அய்யங்கார் 2 திருச்சினாப்பள்ளி கோட்டை ஆண்டார் தெருவிலிருக்கும் தெ. பெரியசாமி முதலியார 3.

முதல் பிரதிவாதி அந்தஸ்து ஸ்தலத்தார்; 2ம் பிரதிவாதி அந்தஸ்து மிராசுதார்; 3ம் பிரதிவாதி அந்தஸ்து சாவுகார்.

I. சிவில் கோடு 26வது பிரிவுப்படி கொடுத்த பிராது அர்ஜி.

1. நாதமுனிஆழ்வார் வடகலை நாமத்தோடு ஸ்ரீ ரெங்கநாதசுவாமி தரிசனத்துக்கு எழுந்தருளி அவ்விடத்தில் நடக்கிற மரியாதைகளை பெற்றுக்கொள்ளுகிறதும் வீதி புறப்பாட்டுக்கு எழுந்தருளுகிறதுமான ௹ 2500 பொறுமான பாத்தியத்தை ஸ்தாபிக்கும்படிக்கும்.

2. அடியில்கண்ட விவரப்படி வரும்படி நஷ்டம் ௹ 43-7-0 ம் வியாச்சியத்தின் சிலவும் பிரதிவாதிகளால் கிடைக்கும்படிக்கும்.

3. இந்த வியாச்சியத்துக்கு ஒத்தபடி கோர்ட்டாருக்கு தோற்றுகிற வேறே பரிகாரமும் கிடைக்கும்படிக்கும், தீர்ப்பு செய்யவேணுமென்றும் கேட்டுக்கொள்ளுகிறேம்.

1. ஸ்ரீரங்கத்தில் ஸ்ரீரங்கநாதசுவாமி தேவஸ்தானத்துக்குள்ளிருக்கிற ஸ்ரீமந்நாதமுனி ஆழ்வார் சன்னிதி என்னைச் சேர்ந்தது. ஷை நாதமுனி ஆழ்வார் பிரதிவருஷமும் அவர் திருநட்சத்திரத்திலும் பின்னும் சில காலங்களிலும் ஸ்ரீரங்கநாதசுவாமியினுடைய சேவார்த்தமாக ஸ்ரீரங்கநாதசுவாமி கோவிலுக்குள்ளும் மண்டபங்களிலும் ஸ்ரீரங்கநாதசுவாமிக்கு முன்பாக வடகலை நாமத்துடன் எழுந்தருளுகிறதும் மேல்கண்டபடி வீதி புறப்பாட்டுக்கு எழுந்தருளுகிறதும் மேல்கண்டபடி வீதி புறப்பாட்டுக்காலங்களில் ஸ்ரீரங்கநாதசுவாமியால் அடியில்கண்ட மரியாதைகளையும் வரும்படிகளையும் பெற்றுக்கொண்டு முன்போலவே தன்னுடைய கோவிலுக்குத் திரும்பி எழுந்தருளுகிறதும் புத்திக்கு எட்டாத காலமுதல்கொண்டு வழக்கமாயிருக்கிறது.

2. சென்ற 1873-74ம் ௵த்தில் நடந்த அத்தியாயனேச்சவத்தில் மாமூல்படி நாதமுனி ஆழ்வாரை வடகலை நாமத்துடன் ஸ்ரீரங்கநாதசுவாமி தரிசனத்துக்கு எழுந்தருளப்பண்ணினதில் ஷை நாதமுனி ஆழ்வாரை புதுசாய் வடகலை நாமத்துடன் எழுந்தருளப்பண்ணினதுபோல பிசகான காரணம் சொல்லி அவருக்கு ஸ்ரீரங்கநாதசுவாமி தெரிசனமும் மாலை பரிவட்டம் பிரசாதம் முதலான மரியாதைகளும் வரும்படிகளும் கிடைக்கவொட்டாமல் 1ம். பிரதிவாதி தடங்கல் செய்துபோட்டார்.

3. அதினால் அவர் ஷை ஸ்ரீரங்கநாதசுவாமி தரிசனம் மரியாதை வரும்படி இவைகளில்லாமல் திரும்பி தன்னுடைய கோவிலுக்கு ஷை ஆழ்வார் எழுந்தருளிவிட்டார். அதுமுதல் நீண்டகாலவழக்கத்துக்கு விரோதமாய் நாளதுவரையில் ஷை முதல் பிரதிவாதியினுடைய மேல்கண்ட செய்கையினால் நாதமுனி ஆழ்வார் ஸ்ரீரங்கநாதசு[illegible] தரிசனம் வரும்படியும் வருமானமும் வெளியில் புறப்பாடும் இல்லாமல் இருக்கிறார்.

4. மேல்கண்ட சங்கதிகளினா[illegible] [illegible]ல்தனை எனக்[illegible]
டி நஷ்டம் நேரிட்டிருக்கி[illegible]
தொடே ரெங்கநாதசுவா[illegible]

ரியாதை வருமானம் பெற்றுக்கொள்ளுகிறது. வீதி புறப்பாட்டுக்கு எழுந்தருளுகிறதமான பாத்தியத்தை ஸ்தாபிக்கும்படிக்கும் வரும்படிகள் கிடைக்கும்படியாயும் விபாச்சியச்செலவுகள் பிரதிவாதிகளால் கிடைக்கும்படியாயும் தீர்ப்பு செய்யக் கேட்டுக்கொள்ளுகிறேன். இதின் 3 ம் வரியில் 3 எழுத்து திருத்தியும் 21ம் வரியில் 9 எழுத்து அடித்தும் இருக்கிறது.

இதில்கண்ட வாதியாகிய இராமசுவாமி அய்யங்காராகிய நான் இதில்கண்ட சங்கதி எனக்குத் தெரிந்தமட்டில் யதார்த்தமானதுகளென்றும் அப்படிப்பட்டவைகளென்றும் எனக்கு நம்பிக்கையுண்டாயிருக்கிறதென்றும் உறுதியாய் சொல்லுகிறேன்.

1875 ஸு ஜூலை மீ 21 உ (ஒப்பம்) க. ராமசுவாமி அய்யங்கார்

மரியாதையின் விவரம்.	ரூ.	அ.	பை.
அத்யேன உத்ஸவம் பகல் பத்து முதல் திருநாளில் இரங்கநாதசுவாமி அர்ஜுனமண்டபத்தில் எழுந்தருளியானவுடனே நாதமுனி ஆழ்வாருக்கு அருளப்பாடு சாதிக்கிறது ஸ்தானீகன்பரிவட்டம் கட்டுகிறது.			
முழ நீளமுள்ள ஒருவடம்பு புஷ்பம் ஸ்தானீகன் சாத்துகிறது.			
அர்ச்சகன் சடகோபம் சாதிக்கிறது.			
ரெங்கநாதஸ்வாமிக்கு நைவேத்தியமான திருப்பணியாரம் தனிகை இதுகளை. அர்ச்சகன் வந்து நெய்வேத்தியம் பண்ணுகிறது.			
அதன்பிறகு ஒரு தோசை, ஒரு வடை, ஒரு செல்வரப்பம் இதுகள் கொடுக்கிறது.			
ரெங்கநாத ஸ்வாமிக்கு வெள்ளிச்சம்பா என்கிற பிரசாதம் நெய்வேத்தியமானதை அதையும் நெய்வேத்தியம் செய்கிறது.			
உடனே நாதமுனி ஆழ்வாரென்று அருளப்பாடு சொல்லி பின்பு ஷை வெள்ளிச்சம்பா என்கிற பிரசாதம் கொடுக்கிறது.			
அர்ச்சகன் சடகோபம் சாதிக்கிறது.			
இவ்விதமாகவே ஷை உத்சவம் பத்து நாளும் நடக்கிறது.			
ரெங்கநாத ஸ்வாமிக்கு ஷை உத்சவம் பகல் பத்து பத்தாந்திருநாள் மோகினி வேஷத்து ராத்திரி கெருட மண்டபத்தில் அருளப்பாடு சொல்லி அழைப்பிவித்து பெரிய பெருமாள் வஸ்திரத்தில் 3 முழ நீளம் 2½ முழ அகலத்தில் ஒரு போர்வை கொடுக்கிறது.			
சடகோபம் சாதிக்கிறது.			
அதே விதமாக உத்சவம் இராபத்து பத்து நாள்களிலும் ஷை இராபத்து சாத்துமுறை தினத்தில் கொட்டகையில் நடக்கிறது.			
வருஷாவருஷம் வருகிற தீபாவளி உத்சவத்திலும் ஸம்வத்ஸராதி உத்சவத்திலும் நடக்கிற மரியாதை ஷை நாதமுனி ஆழ்வாருக்கு மேல்கண்ட பிரகாரம் ஸாதம் நெய்வேத்தியம்செய்து ஒவ்வொரு தினத்திலும் தோசை 1, வடை 1, போர்வை 1, சந்தனம் பட்டி, ஒரு ஸரம் புஷ்பம் இதுகள் கொடுத்து சடகோபம் சாதிக்கிறது.			
வருஷாவருஷம் ஷை யாருக்கு ஆனிமீ அனுஷத்தில் நடக்கிற திருநட்சத்திர உத்ஸவத்தில் காலமே ரங்கநாத ஸ்வாமி ஸந்நிதிக்கு ஷை யார் எழுந்தருளுகிறது			

மரியாதையின் விதரம்.	ரூ.	அ.	பை.
அர்ச்சகர்கள் சடகோபம் சாதிக்கிறது.			
உடனே ஷை ரெங்கநாத ஸ்வாமியினுடைய சகல விருதுகளுடன் வீதி சுத்திவைத்து கோவிலுக்கு அனுப்பிவிடுகிறது.			
ஷை யார் ஸ்ரீரங்கநாயகியார் சன்னிதிக்கு வந்து கால்படி சந்தனமும் ஒரு மாலையும் கொடுத்து சடகோதம் சாதிக்கிறது.			
ஷை திருநட்சத்திரத்தில் ரெங்கநாத ஸ்வாமி ஸக்கதியில் இருந்து தளிகை 4-க்கு எட்டு மரக்கால் அரிசிக்குள்ளான பிரசாதமும் தோசை 100, சந்தனம் படி 5, வெத்திலை கவளி 1, பாக்கு பலம் 2 இதுகளும் ஷை நாதமுனி ஆழ்வார் ஸந்நிதிக்கு மேள தாள முதலான விருதுகளுடன் எழுந்தருளுகிறது.			
அத்தியன உத்ஸவம் 20 நாள்களின் வரும்படி விவரம்.			
சந்தனம், புஷ்பம், தோசை, வடை, செல்வரப்பம், வெள்ளிச்சம்பா இவைகளின் கிரயம் அணு 4 வீதம் 20 நாளைக்கும் வரும்படி. ...	5	0	0
பரிவட்டம் ஒன்றுக்கு. ...	0	8	0
3 முழம் போர்வை 2 க்கு. ...	2	0	0
ஆக ரூ...	7	8	0
தீபாவளி, ஸம்வத்ஸராதி இந்த இரண்டு தினங்களின் வரும்படி: தோசை, வடை, சந்தனம், புஷ்பம் இவைகளின் கிரயம் நாள் 1-க்கு அணு 2 வீதம்.	0	4	0
போர்வை 2-க்கு	2	0	0
ஆக ரூ...	2	4	0
திருநட்சத்திர உத்சவம் வரும்படி: ரெங்கநாத ஸ்வாமி கோவில், நாச்சியார் கோவில் இதுகளில் கிடைக்கிற சந்தனம் பெரியபடி அரைக்கி ...	0	1	0
மாலை 2-க்கு ...			
தளிகை பிரசாதம் 4-க்கு கிரயம் ...	0	8	0
தோசை 100-க்கு கிரயம் ...	6	0	0
சந்தனம், வெத்திலை, பாக்கு இவைகளின் கிரயம் ..	4	11	0
வெயயப்பம் 16-க்கு ...	0	6	6
	0	8	0
விளக்கெண்ணெய் படி 1-க்கு ...	0	6	0
ஆக ரூ...	12		6
ஆக இனம் 3 க்கு வருஷம் 1 க்கு வரும்படி ...	22	4	6
ஸ்ரீமுக வருஷத்தில் கிடைக்கவேண்டிய பாக்கி வருமானம் அத்தியேன உத்சவத்தின் வரும்படி ...	7	8	0
ஸம்வத்ஸராதிதினம் ஒன்றுக்கு ...	1	2	0
பவ-ஹு ஆனி-மீ திருநட்சத்திர உத்சவ வரும்படி ...	12	8	6
தீபாவளி வரும்படி ...	1	2	0
அத்தியேன உத்ஸவத்தின் வரும்படி ...	7	8	0
ஸம்வத்ஸராதிதினம் ஒன்றுக்கு ...	1	2	0
யுவ ஹு ஆனி மீ திருநட்சத்திரத்தின் உத்ஸவவரும்படி ..	12	8	6
ஆக ரூ...	43	7	0

1875 ஹு ஜூலை மீ 21 உ

(ஒப்பம்) இராமசுவாமி அய்யங்கார்.

1875 ஹு ஜூலை மீ 21 உ வரவு
1875 ஹு ஜூலை மீ 28 உ தாகல்

(ஒப்பம்) E. F. WEBSTER.
District Judge.

Original Decree in O. S. No. 18 of 1875, Coimbatore Court.

26th January 1876.

In the District Court of Coimbatore.

Wednesday the 26th January 1876.

PRESENT.—Francis Martin Kindersely Esqr.

O. S. No. 18 of 1875.

Plaintiffs.

1. Regunatha Iyengar. 2. Rangiyengar. 3. Srinivasa Iyengar. 4. Narayana Iyengar, sons of Nathamuny Seshadri Iyengar. 5. Sami Iyengar *alias* Regunatha Iyengar son of Thatham Iyengar. 6. Ramasami Iyengar. 7. Thatham Iyengar, sons of Nathamuny Srinivasa Iyenger residing at Srirangam; profession cultivattam 8. Narayana Iyengar by guardian Ramasámi Iyengar,

Defendants.

1. Parasara Sudarsana Bhatter residing at Srirangam. 2. Kodialem Rengasami Iyengar residing at Srirangam; profession, Mirasidar. 3. Periasami Moodelliar residing at Andar street, Trichinopoly Taluq. 4. Kristna Iyengar 5. Nathamuni Iyengar sons of Nathamuni Srinivasa Iyengar, residing at Srirangam; profession, employment.

Particulars of the Claim.

The suit is for a decree declaring their right valued at Rs. 2500 to take idol Nathamuni Alwar wearing the Vadagalai Namum or mark and accompanied by the Vadagalai insignia before the Runganathaswami at Srirangam and that certain honours and offerings should be paid to the said idol and awarding Rs. 43-7-0 being loss of income.

Decree :—This suit coming on for settlement of issues; upon perusing the pleadings and upon hearing the arguments of V. Coopoosami Iyer and Bashyam Iyengar, vakils for the plaintiffs and Sriranga Chariar and Kristnasami Chettiar for the 1st defendant, the other defendants not appearing either in person or by Vakil, this Court doth order and decree that this suit be and the same hereby is dismissed with costs.

MEMO OF COSTS.

	RS.	A.	P.
1st defendant's Costs.			
Court fee for Vakalutnama	0	8	0
Do, for written statement	0	8	0
Pleader's fee on Rupees 2543-7-0	127	2	10
To be paid to 1st defendant by plaintiff. ... Total Rs...	128	2	10

(Signed) F. M. KINDERSLEY,

Acting District Judge

(Judgment in O. S. No. 18 of 1875 Coimbatore Court)

In the District Court of Coimbatore.

Wednesday the 26th January 1876.

PRESENT.—Francis Martin Kindersley Esqr.

O. S. No 18 of 1875.

Regunathiyengar and 7 others .... *Plaintiffs.*

Parasara Sudarsana Bhuttur and 4 others... *Defendants.*

This suit coming on for settlement of issues, the Court delivered the following Judgment :—

1. This suit is exactly similar in nature to Suit No. 14 of 1875 just disposed of. The plaintiffs seek for a decree declaring their right to take an idol wearing the Vadagalai Namum or mark and accompanied by Vadagalai insignia before the Runganathaswami and to declare that certain honours and offerings should be paid to the said idol.

2. And for the reasons given in Suit No. 14 of 1875, I am of opinion that this Suit is not cognizable by this Court and I therefore dismiss it with costs.

(Signed) F. M. KINDERSLEY,
Acting District Judge.

[*N.B.—For Judgment in O. S. No. 14 of 1875, see Page of this Book*].

(App. Dec. in O. S. No. 18 of 1875 Coimbatore Court.)

In the High Court of Judicature at Madras.

Monday the 31st July 1876.

PRESENT :—The Honorable Sir Walter Morgan, Knight., Chief Justice and The Honorable Mr. Justice Holloway.

Regular Appeal No. 21 of 1876.

Regunatha Iyengar and 5 others ... Appellants (1st to 6th Plaintiffs)

Parasara Sudarsana Bhuttur and 4 others... Respondents (Defendants)

Regular Appeal against the Decree of the District Court of Coimbatore in O. S. No. 18 of 1875.

GROUNDS OF APPEAL.—

1. The District Court misapprehended the nature of the suit.

2. The suit is brought to establish the plaintiffs' right to carry the idol of Nadamuni Alwar in procession in the manner and on the occasion mentioned in the plaint in accordance with immemorial usage and custom, and to restrain the Tenkalais represented by defendants 1, 4 and 5 from unlawfully preventing the exercise of such right on the part of the plaintiffs by falsely alleging that the Vadagalai mark is an innovation.

3 The damages claimed on account of the offerings which would ha[...] to the idol if the procession had not been prevented is not too remot[...] natural result of the illegal act of the defendants 1, 4 and 5.

4. The cases quoted by the District Judge are not applicable [...] which clearly is cognizable by the Civil Court according to the dec[...] Honorable Court in O. S. No. 79 of 1865 and S. A. No. 2 of 1872.

Decree.—This Regular appeal coming on for hearing, upon perusing the grounds of appeal, the judgment and decree of the lower Court and the material papers in the suit, and upon hearing the arguments of Mr. Miller, Counsel, and V. Basbyam Iyengar, Vakil for the appellants, and Mr. Jhonstone, Counsel for the 1st respondent, the other respondents not appearing in person or by Counsel, this Court doth order and decree that the decree of the lower Court be, and the same is, hereby, confirmed and this appeal dismissed and the Court doth further order and decree that the appellants do pay to the 1st respondent Rs 7-0-5 for his costs in opposing this regular appeal.

Memo of costs.

1st respondent's cost.

	Rs	A.	P.
Vakil's fee on Rs 43-7-0 ...	2	2	5
One printed paper purchased ...	4	14	0
To be paid to the 1st respt. by the appts.	7	0	5

(Signed) WILLIAM MORG[...]
Chi[...]

(Signed) HOLLOWAY[...]

[*N.B.—One Judgment was given for this appeal and appeals 6 & 1[...] for which see Page of this Book*].

3rd April 1886.

In the Court of the District Munsiff Additional at Trichinoploy.

The 3rd day of April 1886.

PRESENT—M. R. Ry. A. Kuppusami Iyengar Avergal, *District Munsiff.*

Original Suit No. 362 of 1885.

Nadamuni Ramasawmi Iyengar	1.	Plaintiffs.
Srinivasa Iyengar	2.	
Venkatasa Takar	1.	Defendants.
Rathna Mudaliar	2.	
Uthamanambi Rengasawmy Iyengar	3.	

This Cause coming on for final hearing the Court delivered the following:—

JUDGMENT—Suit to obtain a declaration establishing the Plaintiffs' right to receive the Plaint-mentioned honor every year and to recover Rs 8—1—9 the value of the Plaint-mentioned income connected with the said honor due for the last 3 years.

is alleged in the plaint that the Alavandar Covil situate in the Nadamuni il and lying within the Srirangam Ranganadasawmi Pagoda belongs to ; that it was customary to send the plaint-mentioned Alangaram (honor) usic &c. from the said Srirangam Davastanam for the Thirunakshathram (birthday) of the said Alavandar falling on each year's Ady (July); that the said honor which had been done all along was refused by the then Managers though demanded in the Thirunakshathram, of the said Alavandar fallen on the 30th July 1874; that moreover the Defendants the present Managers were also asked for the Thirunakshathram of this year (26th July 1885) and they have not given it and that the honor in question being in the nature of immovable property, the claim is governed by the 12 years limitation.

3. 1st Defendant states that he has been a manager only for a short time and he does not know much of the plaint allegation and that it appears on enquiry that the income claimed is entered in the Thittam (fixed expenses). but that it has not been paid for 10 or 11 years and that he was not asked about the plaint income.

4. 2nd Defendant states that the plaint is not true, that he does not know of the existence of a separate covil for the plaint mentioned Alavandar or of the demand for the Alangaram, and of the then manager's refusal, that plaintiffs did not ask him for this year's Thirunakshathram, Alangaram, and the back income is not payable; that the small covils situated within the Srirangam Renganathasami Temple belong to Renganathasawmi only, but not to others (This allegation is since admitted to have been made with reference to Judgment Ex. H.); that it appears that the stone idol of the plaint mentioned Alavandar remains in the plaint mentioned Nadamuni Alwar Covil behind the idol of Nadamuni Alwar, that Plaintiffs have nothing to do with the Alangaram (honor) &c., of the said Alavandar's yearly Thirunakshathram, that sandal, betal nut, rice and Thosai (round large cakes) fixed for the said Alangaram in the Davastanam are to be distributed (viniogam) the Thengalai Adyapakals going there on the day of the yearly Thirunakshathram and reciting the Prabandams (verses of Tamil hymns) and performing Sathumorai (closing ceremony); that as it has not been so done since 1874, the Alangaram has not been given and it is entered as covil Adayams (profit) and that plaintiffs and others unsuccessfully brought suit No. 18 of 1875 on the file of the District Court of Coimbatore in respect to the aforesaid Nadamuni Alwar's yearly Thirunakshathram Alangaram, and which had been given as above (2nd Defendant has since admitted that this allegation was made on the referring to the judgment of that suit).

5 3rd Defendant states that the claim is barred by limitation ; that Plaintiffs have no cause of action, that the suit is not of a civil nature in that the claim relates to religious performances ; but that Plaintiffs never demanded the managers for the Alangaram and it is not due to them and it should go only to Tengalai Adiapakals, but not to Plaintiffs; that the plaint mentioned Sriranganadasawmi Covil and other sundry covils situate inside thereof including that of the Nadamuni Alwar are the properties of his and other Thengalai stalathars hereditarily, but not at all Plaintiffs' who are Vadagalais; that Plaintiffs are simply se nts of the said Nadamuni Alwar Covil and as such they are not entitled to bring this suit or to demand the income that the Plaint mentioned Alavandar is the grandson of Nadamuni Alwar and the said stone idol has no separate covil but is kept in the back side of Nadamuni Alvar idol; that the Vadagalai Thiruman (mark in the forehead) newly

kept in 1863 by Plaintiffs and others in front of the said Nadamuni Alwa... kovi (coloured earth) and cut in stone was removed under the orders of th... trate; that on his and other stalathars' complaint to the Magistrate in respec... Vadagalai Thiruman having been put to the said Nadamuni Alvar Plaintiffs' men... fined in 1874 and proclamation was issued then that, if Vadagalai mark be placed, ...nishment will be inflicted; that the suit No. 18 of 1875 of the Coimbatore District Cou... brought by plaintiffs and others against him (3rd Defendant) and other stalathars for not putting Vadagalai Thiruman to the said Nadamuni Alwar and for the yearly Thirunakshathra Alangaram &c. has been dismissed both in original and in appeal; that during the Alavandar Thirunakshathram day sandal betel nut, boiled rice and thosi were used to be brought from the Sriranganathaswami Covil with music. Thengalai Stalathars, Achary Purushals and Adyapakals &c. were to go and recite Prabandams and make Sathumuri and one of the said Adyapakals was to distribute sacred water and sandal &c. putting crown heads and to give away the emoluments due to the Stalathars, Moniagars and other Ooliakars (servants) of the Sriranganathasawmi temple; that plaintiffs and others having changed the Thengalai Thiruman of the said Nadamuni and put Vadagalai Namum to the said Alavandar and in inside of the said Covil, the Thengalais could not go there for the Thirunakshathram of Nadamuni and Alavandar and make savai &c. recite Prabandams and receive the honors and consequently the Alangaram in question was not given and kept under Kovil Adayam.

6. THE ISSUES ARE.

I. Whether plaintiffs on behalf of the Plaint-mentioned Covil have a cause of action.

II. Whether the suit is of a Civil nature.

III. Whether plaintiffs' claim is barred by limitation.

IV. Whether the plaintiffs have a right to the Covil mentioned in the plaint.

V. Whether the plaintiffs have a right to receive the plaint-mentioned things from the Ranganadasawmi Covil.

VI. Whether the claim is barred by the previous decisions as pleaded by defendants.

VII. Whether plaintiffs have changed the mark (Thiruman) put in the forehead of the idol mentioned in the plaint.

VIII. Wheather plaintiffs' right to receive the things mentioned in the plaint has been lost by having changed the Namum.

7. The following documents were filed by the Plaintiffs:—

A/8-6-1826.—Debt bond executed by Appaniangar *alias* Appasawmi to Regunadiengar, Uullithar.

B/23-1-1834.—Partition deed passed among Ragunadiengar and 2 others.

C/22-5-1863.—Public copy of the Arzi written by the second class Magistrate to the Deputy Magistrate of Trichinopoly.

D1/4-3-1878.—Public copy of the decree in A. S. No. 94 of 1877 of the District Court Trichinopoly.

-4-1877.—Public copy of Judgment in O. S. No. 189 of 1876 of Trichinopoly Court.

5-2-1874.—Public copy of the Deposition of the Complainant in Calander No. 9 of 1874 on the file of the District Magistrate Trichinopoly.

F/16-2-1876—Mortgage deed executed by the Plaintiffs &c, to Yembarumanar Aiyar.

By Defendants.

I/ 28-11-1808.—Public copy of the Judgment in O S. 130 of 1808 of the Zilla Court Trichinopoly.

II/13-11-1866.—Public copy of Judgment in O. S. No. I of 1864 of the Civil Court Trichinopoly.

III/12-6-1875—Public copy of Judgment in O. S. No. 874 of 1873 on the file of the Trichinopoly Munsiff Court.

8. The following witnesses were examined by Plaintiffs:—

1. Rangasawmi Iyengar.
2. Sudarsana Bhuttur.
3. Vadavyasa Alaga Singa Bhuttur.
4. Krishna Iyengar.
5. Singam Iyengar.
6. Srinivasa Iyengar.
7. Seshaghiri Iyengar.
8. Naraiana Iyengar.
9. Sriranga Iyengar.
10. Krishnasawmi Iyengar.
11. Venkatachariar.

By Defendants.

1. Naraiana Iyengar *alias* Sawmi Iyengar.
2. Krishna Iyengar.
3. Srinivasa Iyengar (2nd Plaintiff).
4. Srinivasa Iyengar.
5. Durisawmi Iyengar.

9. 1 *and* 2 *Issues.*—It is admitted that the plaint mentioned income is given as an honor to the idol of Alavendar; but 2nd Plaintiff says that he, as Paricharaka (doer of all the necessary work connected with the idol) derives the income, after the plaint mentioned things (Thosi &c.) were offered to the idol. (Vide Defendants' 3rd witness 2nd Plaintiff's evidence).

10. Upon the 2nd Plaintiff's own statement it is clear that those things were sent to the idol as an honor to itself but not as perquisites connected with Plaintiff's right as Paricharaka. Defendants rely in support of their contentions that Plaintiffs as Paricharakas have no cause of action, and that income having been used to be given as voluntary offerings to the Plaint—mentioned Alavendar

a suit does not lie in the Civil Courts on the I. L. R. VI Bombay 122
observations of the Privy Council quoted in Ibid V Madras 313. I thi
decisions favour the Defendants' contentions. It is not denied that t
similar honors to Nadamuni Alwar in whose Covil Plaint—mentione
idol remains has been rejected as not cognizable by the Civil Court. I th
both these issues againt Plaintiffs.

11. *3rd Issue.*—Plaintiffs rely on the article 131 of the 1st Schedule of the Limitation Act. I think that the payment of the income connected with the plaint-mentioned honor &c. was admittedly made till July 73, and this suit brought on the 29th July 1885 is not barred by Limitation. I accordingly find this issue in plaintiffs' favour.

12. *4th Issue.*—Plaintiffs rely in support of their right to the Covil on the Exs. A. B. D. and F. which show that plaintiffs and other coperceners have been dealing with the plaint mentioned Nadamuni Alwar Covil wherein the plaint mentioned Alavandar idol remains and the property attached to it as their own property.

13. It is admitted on all all hands that plaintiffs have no right to remove the idols from the plaint—mentioned Nadamuni Alwar Covil or the materials of the buildings. That it lies within the enclosure of Sriranganathasawmi Temple is admitted in the plaint; and it is in plaintiffs' oral testimony itself that repairs and additions when made to the plaint mentioned Covil and other small Covils lying within the big temple are done after obtaining the permission of the Managers of Sriranganathasawmi temple.

14. Defendants contend that all the Covils situate within the Sapthapracarams of Sriranganathasawmi belong to Sriranganathasawmi and that the Parijarakas who make Pooja &c. to the idols in the said minor temples have no independent right and that the right of Ranganathasawmi to the said minor temples has been recognized and set up in the previous Suits Exs. II, and III.

15. It seems to me that though the paricharakas have been leasing and mortgaging the properties attached to the small temples situated within the limits of Ranganathasawmi temple behind the back of the trustees of the Srirangam Temple, they cannot be said to have acquired an independent right to the minor temples as against the trustees of the Ranganathasawmy on the principle that greater includes the less. It is not or cannot be disputed that the defendants are Managers or Trustees not only of the Ranganathasawmi temple but also of all the minor temples situated within its limits and supported by the Ranganathasawmy temple. I therefore find this issue in the negative.

16. *5th Issue.*—My finding on the 1st and 2nd issues showsthat plaintiffs have right either on their own behalf or on behalf of the idol of Alavendar to receive the honor. If there is an omission on the part of the defendants to do the honor towards the idol, a remedy against them seems to me to lie under the Davestanam Act.

17. All that I can say is that plaintiffs have no legal right to the honor and income claimed; and that there is no legal obligation on the part of the Defendants to send the things at plaintiffs' requests. I accordingly find this issue in the negative.

h Issue.—It is admitted by Defendants that there was no suit or adjudi- respect to the honor due to the Alavandar idol, but it was said that as a suit among other things, in respect to the similar honor due to Nadamu- lwar, in whose covil the plaint mentioned Alavandar remains and the claim vas thrown out as not being cognizable by the Civil Courts. I cannot therefore say that the present claim is barred by that decision.

19. *7th and 8th Issues.*—A finding on these issues which involves a vexed question of sectarian dispute is unnecessary in the view I have taken as to the plaintiffs' rights. However, I may observe that plaintiffs' witnesses (who are Vadagalais) swear that the plaint mentioned Alavandar idol has all along been wearing Vadagalai namam.

20. Ex. C. shows that plaintiffs and their men complained so far back as 1863 when the Vadagalai namam placed in front of the plaint mentioned Nadamuni Alwar covil was attempted to be removed by the Magistarte on the complaint of Srirangam Stalathars, that the idols inside the said temple had Vadagalai mark and that the Magistrate who inspected the spot had omitted to go inside the temple to see what namam the idols had on their forehead.

21. On the other hand Ex. I Judgment of 1808, shows that the Sapthaprakarams of Srirangam have been decided to be the Tengalai's and that Vadagalai Ayangars have nothing to do with the Srirangam Covils &c.

3rd Defendant (Plaintiff's 1st witness) and Plaintiff's 2nd witness (Stalathars of the Renganathasawmi temple) and the Defendants' witnesses say that when honor was used to be brought to the plaint mentioned Alavendar Alwar, Thengalai Athyapakals used to go and offer the things brought from the Sriranganathasawmi temple to the Alwar in addition to the things prepared by the paricharakas of the said Alwar covil itself, that after giving the dues of Sriranganadasawmi covil servants from the Thosai &c brought from the Renganathasawmi temple; the remaining things were used to be distributed among Tengalai Adyapakals and that if there remained any thing after the distribution they were left with the paricharakas (Plaintiffs) of the said Alwar covil.

22. Plaintiffs' witnesses deny the Tengalai Adyapakals coming at all to the plaint mentioned Alwar Covil and say that the distribution is left to the option of the Paricharakas (Plaintiffs.)

23. As I have held that the honor being only voluntary one towards the idol, and as the Srirangam Covil has been declared to be the Thengalai's, defendants witnesses' story seems to me to be more likely.

As the result of my findings on the 1st 2nd 4th and 5th issues, suit is dismissed with costs.

(Signed) A. KUPPUSAMI,

District Munsiff.

Original.

.63ஆம் அக்டோபர் மீ 30உ
மு-ககபா.

...லது

ஸ்ரீரங்கம் தேவஸ்தானத்தில் நாதமுனி ஆழ்வார்கோவிலிலும தன்மந்திரிகோவிலிலும் நூதனமாய் கல்லில் வடகலை திருமண அடித்துவைக்கப்பட்டிருப்பதனாலே தென்கலையாரும் வடகலையாரும் கலகத்துக் காசுபதமாய் கும்பல் சேர்ந்து வருகிறதாயும் ஸ்ரீரங்கம் கிராம முனிசிபு யெழுதிககொண்ட ரிபோர்ட்டை அனுப்பியிருப்பதாயும் போய்பார்த்து அவடத்தி லிருக்குற பாடகசாலை மணியகாறன் கணக்கப்பிள்ளை முதலானவர்களை விசாரித்தும் தேவஸ்தானத்தில் மேற்படி திருமணுக்காக யேற்பட்டிருக்குற கணக்கைப்பார்த்தும் நிஜஸ்திதிகண்டு தெரியப்படுத்தும்படி நாளது மீ 28உ யுள்ள யதாஸ்து வந்தது.

அதுகாரியத்துக்கு ஸ்ரீரங்கத்துக்குபோய்தேவஸ்தானத்தி லிருக்குற கணக்கை வரவழித்தும் மேற்படி இறண்டு ஜாகாக்களை கண்பார்த்தும் விசாரித்ததில் தன்மந்திரிகோவில்வாசப்படிக்கி மேலாக கல்லிலடித்து வைக்கப்பட்டிருக்குற வடகலை திருமண 7-8-நாளைக்கிமுன் புதுசாயிவைக்கப்பட்டதே தவிற இதற்குமுன் யிடையாதென்டு பாடகசாலை மணியகாறன் கணக்கபிள்ளையும் அருந் உத்திறவுப்படி போன சப்டம்பற் மீ த்தில் திருமணபோட்டிருக்கபட்ட யெடங்களுக்கெல்லாம் கணக் கோர்ப்படுத்தும்போது நாதமுனிஆழ்வார்கோவில் இந்ததன்மந்திரிகோவில் இறண்டுக்கும்யாதொரு திருமணுயில்லாததுனாலே கணக்கில் யேற்ப்பட யில்லையென்டும் அதற்கு பிறகு தான் இறண்டு கோவில் வாசப்படியிலும் வடகலை திருமணகல்லி லடிச்சு புதுசாயி வைக்கப்பட் டிருப்பதாயும் தேவஸ்தானம் கணக்கு றெங்கசாமி ய்யங்காரும் வாக்குமூலம் குடுத்திருக்குறதும் தவிற மேற்படி தன்மந்திரி கோவில் பறிசாறக கஸ்தூறி றெங்கய்யங்காற் யென்பவன் மேற்படி கோவில் ஸ்ரீனிவாசறுகவய்யர்காற் வகைறு பேற்களின் சொந்தமென்னும் அதில் தான் பரிசாறகனென்னும் மேற்படி கோவில் வாசப்படிக்கி மேலே வைத்திருக்கிற திருமணகோவி லுண்டானதுள்முதலிருப்பதாயும் காறைஉதிர்ந்தும் கொஞ்சம்யிடிஞ்சும் யிருப்பதைப்பத்தி யெசமானிடத்தில் தெறியப்படுத்தி அவருத்திறவின்பேரில் புதுதாய் சுண்ணாம்பூசி வெள்ளைவைத்து தேய்த்திருக்கிறதாயும் இப்போது புதுசாயிவைக்கப்பட்ட தல்லவென்னும் வாக்குமூலம் குடுத்திருக்கிறான். என்னுடய பார்வையில் திருமண் அடித்துவைத்திருக்கிறகல்லில்கருப்புபூசி சுத்திசுண்ணாம்புபூசி வெள்ளைவைத்து புதுசாயிருப்பதாகவே காணப்படுகிறது.

Translation.

30th October 1863.
Camp Trichinopoly.

Yadast (from the Tahsildar)

Received your yadast of the 28th instant informing me that the Tengalais and Vadagalais (in Srirangam) are gathering in large numbers so as to create a breach of the peace on account of new Vadagalai Namams having been cut in stone and placed in the Nadamuni Alwar and Dhanmantri kovils in the Srirangam Devastanam, and that you have sent me the report of the Village Munsif of Srirangam in the matter; and directing me to report about the true state of things after inspecting the spot in person, looking into the list of Namams already prepared in respect of the Namams in the Devastanam, and after examining the Maniam, Kanakkapillai and others there.

When in respect of this matter I went to the spot in person, called for the list of Namams and examined witnesses, the Maniam and Kanakkuppillai deposed that the Vadagalai stone Namam placed over the entrance of the Dhanmantri kovil had been newly set up there only 7 or 8 days ago, and it was not there ever before; Kanakku Rengasami Iyengar of the Devastanam deposed that in the list of Namams prepared in September last in the Devastanam in pursuance of an order from the Huzur these 2 Namams in front of the Dhanmantri and Nadamuni Alwar kovils are not to be found as they were not in existence then, and that these have been newly set up there subsequently; Kusthuri Renga Iyengar, the Paricharaka of the Dhanmantri kovil has deposed that that temple belongs to one Srinivasa Ragava Iyengar and others, that he is the Paricharaka under them, that the Namam over the entrance has been there from time immemorial, that as it was out of repair he informed his masters of the same and with their permission has only got it newly chunammed and white washed, and that it was not newly and recently put up there. On a personal inspection of the locality it appears to me that the Namam has been newly and recently set up there, having been cut in stone and chunammed all round.

நாதமுனி ஆழ்வார்கோவில் திருமணைப்பத்தி திருமமுன்சிபு புதுசாயிவைக்கப்பட்டிருப்பதாக முன்னமே ரிபோற்ட்டு யெழுதிக்கொண்டிருப்பதாயி தெரிய வருகிறதுந் தவிற இப்போது பார்வையில் புதுசாகவேவைத்து மஞ்சள்காவி பூசியிருப்பதாயும் காணப்படுகிறது.

ஆகையால் விசாரணையில் யேற்பட்டவாக்குமூலம் 4-முன்சிபு ரிபோற்ட்டு 1-ஆக 5-யும் இதி லடக்கமா யனுப்பி யிருக்கிறதும் தவிற மேற்படி தேவஸ்தானம் கணக்கு பிள்ளையை நமத்துக்காக யேற்பட்டிருக்கிற கணக்குடன் கச்சேரிக்கி வந்தாஜறாகும்படி தாக்கீது செய்திருக்கிற சங்கதி தெரியலாவதா யெழுதியகாறியம்.

(ஒப்பம்) இ. வெங்கிடசாமி நாயடு,
தாசில்.

R. RAGOONATHA ROW,
(True copy) *Deputy Collector.*

In respect of the Namam
muni Alwar kovil, the villag
to have already reported th
newly placed there, and it
also, after a personal inspec
newly set up there and col
fronkavi all round.

I have therefore herewith sent the 4 depositions taken in the inquiry before me and the Munsif's report; and further I have directed the Devastanam Kanakkuppillai to appear before the Court with the list of Namams in the Devastanam.

Signed)

(Signed) VENKATASAMI NAIDOO.

(True copy)

(Signed) R. RAGOONATHA ROW,
Deputy Collector.

No. 59

1864 ௵ பிப்பரவரி ௴ 19௳

ரூ-ககபா.

திருச்சிறைப்பள்ளி ஜில்லா ஆ. யே. அ. மேஜஸ்திரிட்டாரவர்களாகிய ஜி.டி.விமன் துரையவர்கள் சமூகத்துக்கு.

திருச்சிறைப்பள்ளி தாலூகா 2-கி ச. ே. மே. வெங்கிடசாமிநாயக்கர் யெழுதிக்கொண்ட அர்ஜீ.

ஸ்ரீறங்கம் தேவஸ்தானம் மானேஜர்கள் உருருக்கு யெழுதிக்கொண்ட அர்ஜியை அநுப்பியிருக்குறதாயும் ஷை தேவஸ்தானத்தைச் சேற்ந்த தனமந்திரிகோவில் வாசலில் வடகலை கஸ்தூரி ரெங்கய்யங்கார் வகைரூபேர்கள்முன் உத்திறவுகளுக்கு விரோதமாயி வடகலை திருமண அடையாளத்தை வைத்திருக்குறதாக அதில்கண்டிருக்குற சங்கதியைப்பத்தி விசாறணைசெயிது தெரியப் படுத்தும்படியாயி அக்ட்டோபர் ௴ 30௳ யிலான 216-வது நி. உத்திரவு சாதறுச்சகது.

ஷை சங்கதியைப்பத்தி மானேஜர்கள் பிதிவிக்கிம் யாதாஸ்து யெழுதிஅனுப்பி வித்ததுந்தவிர ஸ்ரீறங்கம் திருமமுன்சிபும் ரிபோர்ட்டு செயிதான்.

ஷை திருமணும் நூதனமானது தானுவென்று தாலூகா சிரஸ்தேதாறைக் கொண்டு பாற்வையிடும்படி செயிது அவர்பார்த்து விசாறணைசெயிது ஷை திருமணும் புதுசாயி வைத்திருப்பதாகவே காணப்படுகுறதாயி யாதாஸ்து யெழுதி அனுப்பிவித்தாற்.

அதின்பேரில் தேவஸ்தானம் மானேஜர் பருசாப்பட்டுகிய சுதர்சனப்பட்டர் 1. பெரியசாமிமுதலியார் 1 இவற்களை விசாறணைசெயிததில் போன அக்டோபற் ௴ 26௳ ராத்திரி கோவிலுக்குள் பிகுமுத்திரையானதின் பேரில் தேவஸ்தானம் மகாஜனம் தெருகாதய்யங்கார் வகைரூப்பேற்கள் வழக்கப்படி கோவிலுக்குள் ரேந்து சுத்தப்போகும்போது ஸ்ரீரங்கநாதசுவாமி கோவிலைச்சேற்ந்த தனமந்திரி கோவில் மேடையில் மன்னார்குடி கஸ்தூரிறங்கய்யங்காற் வகைரூ கூட்டமாயிருந்ததும் தவிர ஷை கோவில் வாசப்படிக்கிமேல் நூதனமாய் வடகலை திருமண அடையாளத்தை அடித்தகருங்கல்லை வைத்துகாறைபூசி கலகத்துக்காஸ்பதமான காரியம் செய்திருக்குறதாக 27௳ காலமே சமாசாரம்தெரிந்து பேஷ்காருக்கு உத்திரவுகுடுத்து பேஷ்காற் யேட்டாணின் மேபில் முன்சிபு முதலானவர்களை கூட்டிப்போய் காண்பிவித்து அவடமிருந்த கிருஷ்ணய்யங்கார்

வை பிடித்திருக்குறதாயும் தாங்களும்போய் பார்த்ததில் அவ்விதனூதனகாரியம் செய்ய நக்குறதாயும் சொல்லுகுறதும்தவிற ஷெ தனமந்திரிகோவில் ஊழியமிருசைமுன்னாலே அ ாட்டு ஸ்ரீனிவாசய்யங்காற் கிறையத்துக்கு வாங்கி இப்பால் அவனுடைய பாத்தியஸ்தர்கள் மத்துவருவதில் 1808 வருஷத்திய 130 நிம்பர் தீர்ப்புப்படி நடக்குறதாக ஷெ. ஸ்ரீனிவாசய்யங்காரு டைய ஜாமின்தாரன் 1818 வருஷத்தில் குடுத்திருக்கிற ஸ்டாம்பு ஜாமின்கத்து அசூர்சன்னது முத லான தஸ்தவேசுகளை தாக்கல்செய்து வாக்குமூலம் குடுத்தார்கள்:—

சாக்ஷி நெகுநாதய்யங்காற் 1- நெங்கய்யங்காற் 2- காவல் சடையன் 3- முத்துவய்யன் 4- நாரணய்யன் 5- லெட்சுமி நறசிம்மாசாற் 6- வெங்கிட்டாசாற் 7- அண்ணய்யாச்சாற் 8- அடைக்க த்தேவன் 9- வைத்திலிங்க ஜட்டாவல்லபற் 10- இவர்களைவிசாறணை செய்ததில்,

பிருதுப்பக்கே 1- 2- 3- சாக்ஷிகளால் பூர்த்தியாய் ருசுவாகுறதுந்தவிற ஷெ. தனமந்திரி கோவில் வாசப்படிக்கிமேல் ஒருநாளும் யாதொரு திருமணமும் யிருந்ததேயில்லை யென்றும் அப் படிப்பட்ட விடத்தில் னூதனமாய் வடகலை திருமணஅடையாளம் வைக்கப்பட்டு சாம்காயாமலிரு ந்ததை பாத்திருக்குறதாயும் அன்னியமதஸ்தற்களாயும் அனுபோகஸ்தற்களாயும் யிருக்குற 4 முதல் 10- வரையிலுள்ள சாக்ஷிகளாலும் திற்பத்திகறமாய் தெரியவருகிறது.

யெதிரிகளில் நெகுநாதய்யங்காற் குத்தம் ஒப்புக்கொள்ளவில்லை கிருஷ்ணய்யங்காற் யெ ன்பவன் டிப்டிகானிஸ்டேபிளுடையசொல்ப்படி அக்டோபர் மீ 26வ ராத்திரி தான்வகையறா அவ டம்படுத்துகொண்டு 27வ காலமே அவடம் யிருந்ததாய் சொல்லுகுறதும் தவிற கொத்த சடைய ருசா யென்பவன்தான் அன்றுராத்திரி கோவிலில் சாதம்வாங்கி சாப்பிட்டு அவடம்படுத்திருந்த தாய் சொல்லுகுறான்.

யேட்கானிஸ்டேபின் டிப்டிகானிஸ்டேபின் கிறுமமுன்சிபு இவர்களை விசாரணைசெய்ததி ல் அக்டோபர் மீ 26வ ராத்திரிகோவிலில் வடகலையாற் வடகலைதிருமண அடையாளத்தை வைத் துகும்பல்கூடி கலகத்துக்கெத்தினம் செய்திருக்குறதாக 27வ காலமேசமாசாரம் தெரிந்தமூலமாய் போய்பார்த்ததில் னூதனமான திருமண அடையாளம்வைத்து சாம்காயாமலிருந்த தாயும் அவட ம் யெதிரி கிஷ்ணய்யங்காற் வகையறா யிருந்ததாயும் சொல்லுகுறதும் தவிற அப்பால் தான் ஷெ 27வ ராத்திரி 4-5-நாழிகைக்கி மருபடி கும்பல்கூடி யிருக்குதாவென்று பாற்க்கப்போனதில் ஷெ தனமந்திரி கோவிலில் யிருந்த ஒருபிறமணன் அந்ததிருமணை தெங்கலையாற் இடிக்க யெத்தினப்ப ட்டிருக்குறதாக சொல்லிக்கொண்டதுனாலே ராத்திரி அவடம் 4- பேர் பந்தோபஸ்தாய் படுத்துக் கொள்ளும்படி சொன்னதாய் டிப்டிகானிஸ்டேபில் சொல்லியிருக்குறான்

இந்த விவாதத்துக்கு முன்னாடியே ஸ்ரீரெங்கம் கோவில்முதலான விடங்களில் யிருக்கு ற திருமணுக்காக மாஜி- யே- அ- மே- துறையவர்கள் உத்திறவுப்படி தேவஸ்தான மானேஜர் கள் கணக்குத்தயார் செய்தனுப்பி யிருப்பதில் அந்தகணக்கில் இந்தவிவாத திருமணம் தாக்கலா யிருக்குதாவென்ற விவறம் தெரியப்படுத்தும்படியாய் தேவஸ்தானம் பேட்பேஷ்காருக்கு யாதாஸ் து யெழுதி இருந்ததில் ஷெதனமந்திரி கோவில்வாசப்படிக்கிமேல் ஒருநாளும யாதொருதிருமணு மும் யிருந்ததில்லை யென்றும் அந்தக்கணக்கனுப்பும் காலத்திலும் யில்லாததனாலே அதைகணக்கி ல் தாக்கல் செய்யவில்லை யென்றும் ஜவாபு யாதாஸ்து யெழுதியிருக்குறார்

ஸ்ரீரங்கம் சப்த்த பிறுகாரத்துக்குள்ளாகவும் கோவில்முதலான விடங்களிலும் னூதன மாய் யாரும் வடகலைதிருமண அடையாளத்தை வைத்து கலகத்துக் காஸ்பதம் செய்யக்கூடாதெ ன்று முன்பிரந்திருக்கிற மேஜஸ்திரட்டு உத்திரவுகளுக்கு விரோதமாய் நாதமுனியாழ்வார் கோவி ல் வாசலில் னூதனமாய் ஷெதிருமண அடையாளத்தை வைத்த வடகலையாருக்கு மாஜி- யே- அ- மே- துறையவர்களால் ரூ 1000- அபராதம்விதிக்கப்பட்டு இனியாரும் அப்படிப்பட்டகாரியம் செ ய்யக்கூடாதென்று தீர்மானமாகியிருக்குறது.

அப்படிப்பட்ட உத்திறவுகளுக்கும் ஆதியில் மேற்படி தனமந்திரிகோவில் வகையறா ஊ ழியமிருசை ஸ்ரீனிவாசய்யங்கார் கிறையத்துக்குவாங்கும்போது குடுத்திருக்குற ஜாமின்கத்துக்கு ம்நேரே விரோதமாயி சர்க்கார்யென்கிற அச்சமில்லாமல் றொம்ப நிற்பயமாயி மேலேகண்டபடி வ டகலைதிருமண அடையாளம்வைத்து கலகத்துக் கெத்தினம் செயிதிருக்குறாற்கள். அதைக்குறித் துசமுகத்திய யுகத்தானுசாறம் நடப்பிவிக்க வேண்டியதாயிருக்குறது.

ஆகையால் விசாறணையில் யேற்பட்ட தஸ்தவேசுகளையும் மானேஜற்கள் தஸ்தவேசுகளையும் பேறஸ்து தாகலாப்படி 35-யும் இதிலடக்கம்செயிது அனுப்பி பாற்வையானதின்பிறகு மானேஜற்களுடைய தஸ்தவேசுகளை அவற்களுக்கு குடுக்க காக வாப்சனுப்பும்படி உத்திர வாகவேணும் சித்தம் அரியவேண்டியது.

தங்கள் விதேயன்
(ஒப்பம்) இ. வெங்கிடசாமி நாயக்கர்,
2-கிளாஸ் மேஸ்திறட்.

R. RAGOONATHA ROW,
Deputy Collector.

(True copy)

No. 69.

8th April 1864.

From,

G. D. Lemon Esquire, Ag. Head Assistant Magistrate, Trichinopoly.

To

Venkatasawmy Naidoo 2nd class Taluk Magistrate, Trichinopoly.

Your urzee No. 59 and the depositions taken by you in the matter of the petition written by the Managers of Srirangam Davastanam complaining that one Kustoori Renga Iyengar and others have put *up a Vadagalai mark* on stone in front of Dunmanthri *Pagoda* within Srirangam Davastanam were read.

It does not appear that there is anything in the case to be enquired into magisterially and the Managers have received an endorsement to the same effect. The Magistrate retains the petition presented by the Managers and returns the 34 documents that accompanied it.

Trichinopoly.
8th April 1864.

(Signed) G. D. LEMON,
Ag. Hd. Ast. Magistrate.

[*N. B. But see High Court Judgment in Criminal Petition* 20 *of* 1864 *dated* 21*st July* 1864, *quoted at p of this book. See also paras* 77 *and* 78 *of Mr. Pennington's Judgment, dated* 28*th March* 1874, *quoted at p. of this book.*]

திருச்சினாப்பள்ளி ஜில்லா சிவில்கோர்ட்டாரவர்கள் சமுகத்துக்கு.

வாதி.
ஸ்ரீறெங்கத்திலிருக்கும் ஸ்ரீநிவாஸ ருகவப்யங்கார் கிஷ்ணசாமி அய்யங்கார் சேஷய்யங்கார்.

பிறதிவாதி.
ஸ்ரீறெங்கத்திலிருக்கும் பருகூற சுதறசனப்பட்டர்.

மேற்படி ஸ்ரீறெங்கம் அஞ்சாவது பிறுகாறத்திலிருக்கும் எங்களுக்கு சொந்தமான அடியில்க்கண்ட நான்கெல்லைக் குள்ப்பட்டதாயும் தூ-கூ பொருமான கல்க்கட்டடமாகிய தன்மந்திரிகோவிலில் வெகுநீற்க்கமான காலமாயி எங்களுடைய இசானுசாறமாயி அனுபவித்துக்கொண்டு எங்களுக்கு கிறயவிக்கிறயாதிகளுக்கு யோக்கியமாயி நாங்கள் யெங்களுடைய சுவாதினத்தில் அனுபவித்துக்கொண்டு வருகையில் ஷை கோவில்வாசலில் வெகுநாளாய் யிருக்கப்பட்ட வடகலை கல் திருமணை பிரதிவாதி யெடுத்துப்போடவேணுமென்று விணான ஆக்ஷேபனைகள் செய்து விணான பிராதுகள் முதலானதினாலே தொந்தரைகொடுப்பதினாலே மேற்படி கட்டடத்தில் யாதொருவிதத்திலும் மேற்படி பிரதிவாதி பிறவேசியாமலிருக்கும்படி தீர்மானஞ்செய்து எங்களுடைய பாத்தியத்தை ஸ்தாபிப்பதும் தவிற இதுவரையில் அவனுடைய பிறவேசத்தினாலே எங்களுக்கு

...ஷ்டம் ரூ ௩௱-மூன்னூறையும்வாங்கி கொடுக்கவேணுமென்று கோருகிறோம் இதற்க் ...கிறவுகள் உ கொடுத்திருக்கிறது மேற்படி பிராதுக்காக மேஜெஸ்திறேட்டிடல்பேச வைக் ...ம் ஐ கோற்ட்டு வக்கில்களையும் தருவித்ததிலும் சவாரிசிலவிலும் செலவிட்டசிலவு ரூ ௩௱ மகல்லே:—அஞ்சுகுழி மூணுவாசல்வழி நடைக்குமேற்குக் கொட்டாரபிரதக்ஷணத்துக்குவடக் முதலாழ்வார் கோவிலுக்கு கிழக்கு திருமதிளுக்கு தெற்கு யின்னுக்கெல்லைக் குள்பட்ட ரூ 1100-பெறுமான வாநிகள் சொந்த தன்மக்கிறி கோவில்கட்டடம்.

(Signed) T. Sreenevasachary, Pleader, High Court.

இதில்கண்டசங்கதி நிஜமென்று உறுதியாக சொல்லுகிறோம்

1863ளு டிசம்பர் மீ 5௳ (ஒப்பம்) ஸ்ரீனிவாஸையங்கார்.
(ஒப்பம்) கிஷ்ணசாமி அய்யங்கார்.
(ஒப்பம்) சேஷய்யங்கார்.

Received 5th December 1863.

(Signed) T. I. P. HARRIS,
Civil Judge.

13th November 1866.

Judgment

Original suit No. 1 of 1864 on Sudr Ameen Side

In the Civil Court of Trichinopoly.

Present A. E. R. Mc. Donell Esquire, Civil Judge.

1. The plaintiffs sue for establishing their title to a certain pagoda and to prevent the defendant from all interference with their enjoyment of the same and further to recover from him Rs. threehundred, being charges for expenses incurred by them (plaintiffs) in consequence of the defendant's interference.

2. The plaintiffs state that the said pagoda which is situated within the enclosure to the large pagoda of Srirangam originally belonged to one Sriranga Raja, that the latter sold it to one Venkata Krishna Iyengar, and executed to him a deed of sale on Thursday, the 14th day, after the moon was at its full, in the month of "Kanya" in the year "Thathoo," that the said Venkata Krishna Iyengar resold it to their ancester and executed to him a deed of sale on Wednesday the fifth day after the New Moon of the before mentioned month and that they have since held possession of the said pagoda, that the "Stalathars" of the Srirangam pagoda preferred a complaint to the then Magistrate, urging that a stone marked with the "Vadagalai" sect mark be removed, that to oppose this, agents, and a High Court Vakil had to be entertained by reason of which expenses to the extent of three hundred Rupees were incurred which they (plaintiffs) seek now to recover.

3. The Defendant pleads that the pagoda in dispute forms a portion of and belongs to the large pagoda, known as " Srirangam" pagoda, that the plaintiffs have no right or title to it, that the plaintiffs having recently erected the "Vadagalai" mark on the stone, in the pagoda in dispute, he and Pariyasawmi Mudaliar one of the Tharmakarthas, or Managers of the institution complained to the Magistrate and that the statement that plaintiffs incurred on this account expenses to the extent of three hundred Rupess is false.

4. At the hearing of the case the defendant's Vakil repudiated the genuineness of the plaintiffs' document A which is the sale deed (and sole foundation of their title) which is alleged to have been executed to Venkatakrishna Iyengar by Sriranga Raja and delivered over by the former as a title Deed. The Defendant's Vakil pointed out that the date of execution of the document is actually prior to the date of the endorsement pas-

sed by the then Stamp Vendor on his selling this stamped paper. The (
considered that if as stated that was the case the plaintiffs' claim must be
missed. So prior to the settlement of the issues involved he proceeded to sati
as to the correctness or otherwise of the objection.

5. The stamp Vendor's endorsement on the paper, on which the said A is engrossed shows that this paper was sold by him on the 8th of Octobe on referring to the Ephemeris, the date on which the document itself purports to be executed corresponds with the 19th of September 1816; thus the deed itself is dated one year all but a few days prior to that on which the stamped paper it is engressed on was originally sold by the Vendor.

6. This is proof positive that the document A is not genuine and considering the long standing and world wide known enmity existing between the Vadagalais and Tengalais this Court is firmly convinced that this document is simply a forgery.

7. After much delay and on warning to the Vakil, after summoning the 1st plaintiff, he appeared and on the gross discrepancy being pointed out to him, he admitted it pleading that the document has long been in possession of the family and that as these transactions took place before he was born he is unable to throw any light on the document which he had believed to be genuine.

8. The Document B is a deed of sale on plain paper said to have been obtained by plaintiffs' ancestors some 5 days after the date on which the said Document A is said to have been executed.

9. Any person walking into the Srirangam Pagoda can at once satisfy himself that the disputed property is an integral portion of the Srirangam Pagoda. The present claim appears to this court most impudent and evidently based on a fictitious document.

10. The court therefore determines to dismiss the plaintiffs' claim with all costs.

Trichinopoly
Civil Court
13th November 1866.

(Signed) A. E. R. MACDONELL,
Civil Judge.

11th August 1881.

Proceedings of the District Magistrate of Trichinopoly dated the 11th August 1881 in Calender cases Nos. 16 and 17 of 1881

No. 2494.

Read again petition dated the 23rd February 1881 presented by Kristnayengar and 3 others of Tengalai sect complaining that the Vadagalais have chistled off the Tengalai mark in Danmantri Pagoda at Srirangam.

Read again also the petition dated 26th February 1881 from Rengayengar complaining that Tengalai Doraisawmy Iyengar and 14 others committed a similar offence in respect to a Vadagalai mark in the same place.

Read also Argi No. 196 dated the 4th July 1881 (with its enclosures) received from the Town 2nd Class Magistrate to whom both the above petitions had been sent for report.

ORDER.

The Sub-Magistrate has enquired into these counter-petitions and from his re- ... it is clear first that the caste mark in question was originally a Vadagalai and not Tengalai mark, and that it probably was removed by people of the latter sect, and ... condly that it is impossible to fix the charge on any particular individuals. The complaints are therefore dismissed under section 147 C. P. C. but the parties will be strictly warned against committing any act that is likely to tend to a breach of the peace. There is no objection to the Vadagalai sect restoring the mark to the condition in which it was before the date of the alleged offence i.e. replacing their own caste mark.

(Signed) HENRY SEWELL,
District Magistrate.

26th August 1881.

To.

THE DISTRICT MAGISTRATE OF TRICHINOPOLY.

The humble petition of R. Sadagopacharry, Vakeel for the Tengalai sect

MOST RESPECTFULLY SHEWETH:—

1. That your petitioner was unfortunately unable to attend your honor's court on the 11th Instant, in consequence of pressure of business at Tanjore, that your petitioner therefore with a good deal of hesitation and regret begs to urge the following to your honor's kind notice.

2. That your petitioner heard that your honor disposed of the case on the 11th Instant, the result being that both the complaint petitions should be dismissed; and that your honor observed that as the mark in the Dhanmanthri temple was *Vadagalai*, there could be no objection to the putting up of that mark in the said temple.

3. That your petitioner submits that your honor no doubt arrived at this conclusion on perusing the urzi of the Town Sub-Magistrate in which, however, are to be found circumstances tending to shew conclusively that the said Town Magistrate was deeply prejudiced against Tengalais as is apparent from his having recommended the taking of security from some of the leading members of Tengalai community (as if he was authorized to do it under section 146 of the Criminal Procedure Code) and from his having advised prosecution in *Paramapathavasal case*, both of which suggestions, your honor in your judicial discretion set at naught. That it is also quite clear that the said Town Magistrate paid no attention whatever to the documents filed on behalf of Tengalais tending to show beyond a doubt that the Davastanam in question was Tengalai, that the Vadagalais could not and cannot put up their mark any where within the precincts of the said Davastanam, and that to do so would be an offence (Vide the third Isthiar of Mr. Pennington dated 22nd April 1874).

4. That your petitioner found from carefully perusing and studying the Urzi with your honor's permission that no allusion whatever was made to the documents, or to the report of the Police Inspector who personally inspected the spot and submitted a report, and that the said Urzi was based *not on any evidence on the record* but on the supposed personal knowledge of the said Town Sub-Magistrate.

5. That your petitioner ventures to submit that had the documents aforesaid been brought to your honor's notice, your honor would never have even incidentally observed that the mark under reference was Vadagalai and that the putting up of such a mark

was not objectionable; and your petitioner regrets to submit that the resu servation is to subvert a series of decisions in favour of Tengalais beginn decree of suit No. 130 of 1808 and ending with Mr. Martin's order, dated ber 1880.

6. That your honor has certainly a discretionary power to dismiss under section 147 of C. C. P. but not, as your petitioner most humbly sub thorize the erection of a Vadagalai mark which is conclusively and unmist dicted by the Isthiar of Mr. Pennington; nor can your petitioner find any such a procedure under any other section of the C. C. P. the jurisdiction g gistrates under section 518 of the C. C. P. being one of preventive charact much as there is nothing to prevent Vadagalais from establishing their right to set up their mark in a Civil Court without troubling your honor to declare their right.

7. That your petitioner further begs to submit that such permission (if actually given by the Court) is not only not warrantable under C. C. P. but is also calculated to create a riot which Magistrates are bound to put down under section 518 of C. C. P. as custodians of Public peace.

8. That your petitioner hears with dismay that Vadagalais are making preparations to erect the Vadagalai mark apparently in pursuance of your honor's permission; your petitioner ventures to hope that your honor would not have at all intended that such a construction should be put on your honor's observation so as to create a serious breach of the peace.

9. Your petitioner therefore most humbly prays that your honor will be pleased to give him an opportunity to be heard; or if your honor considers the step inconvenient, to insert or declare that Vadagalais should not consider that they are authorized to set up their mark in *Dhanmanthri temple* and thereby create a breach of the peace unless and until their right to do so is established before a Civil tribunal. Your petitioner in conclusion, begs to urge that such an amendment of your honor's Order (if your honor's final order has been passed at all), will meet the ends of justice, will preserve intact the rights and privileges of Tengalais, will uphold past decisions and will preserve public peace.

And your petitioner as in duty bound shall ever pray.

26th August 1881.
Srirangam.

(Signed) R. SADAGOPACHARRY,
Vakeel for Tengalais.

8th September 1881.

No. 2782.

Proceedings of the District Magistrate of Trichinopoly dated 8th September 1881.

Read petition dated 26th August 1881 from R. Sadagopacharriar Vakeel for Tengalais, protesting against the order passed by the District Magistrate in Calender cases Nos. 16 and 17 of 1881.

The District Magistrate sees no reason for re-opening the case. The petition really contains a suggestion that the Tengalais are likely to commit a breach of the peace. The Sub-Magistrate and the police will be directed to see that nothing of the kind takes place.

(Signed) HENRY SEWELL,
District Magistrate.

In The High Court of Judicature at Madras.

Tuesday the 9th of May 1872.

PRESENT.

The Honorable Sir CHARLES A TURNER, Knight, C. I. E. *Chief Justice.*

The Honorable Mr. Justice MUTHUSAMI IYER, C. I. E.

Criminal Petition No. 643 of 1872.

1 *Criminal Miscellaneous Petition No. 15 of 1872.*

Petitioners—Sawmi Iyengar and Srinivasa Iyengar.

Counter-Petitioners. Toriore Iyengar, Krishnasawmi, Anantha Chariar, Ragunada Iyengar, &c., and 100 other house-people.

Petition under Sections 294 and 297 of the Criminal Procedure Code praying the High Court to revise so much of the proceedings of the District Magistrate of Trichinopoly, No. 2494, dated 11th August 1871, as authorizes the Vadagalai sect to replace their own Caste mark in the Danmanthri pagoda at Srirungam.

Mr. R. Sadagopa Chariar appeared for the Petitioners.

Mr. V. Bashyam Iyengar appeared for the Counter-Petitioners.

JUDGMENT.

All that we have before us to which the Petitioners can take exception, is an observation that there was no objection to the Vadagalais restoring their Namam to the condition in which it was before the commission of the alleged offence. This does not amount to an order, and therefore there is nothing which we can set aside. The Magistrate may or may not be right in his opinion, but he is apparently aware he could not give effect to it by an order and he has not done so.

The application is dismissed.

Ordered accordingly.

(Signed) S. ORR,

Ag. Dy. Registrar,

Appellate Side.

15th August 1803.
Translation.

To,

JOHN WALLACE Esquire
Collector of Trichinopoly.

The Arzee of Valu, the umpire of Devastanam (of Srirangam) Trichinopoly District.

Your honor had ordered to conduct (of the festivals &c.) according to mamool obtained till now, on the complaint lodged to your honor sometime before by the Vadagalais and Tengalais of the Srirangam Temple. But for the last 3 months the Tengalai Adyapakals have been prevented by the Vadagalais from performing Pachay Srichurnaparipalanam, Nanmay and Thinmay ceremonies in their (Vadagalais') houses. While the Tengalai Adyapakals have been waiting to lodge a complaint to your honor about it, ceremonies were performed by them agreeably to the mamool of the Temple on the Thirunatshatharan day of *Tengalai Vedanta Chariyar*. Bud the Vadagalais contrary to mamool recited Ramanuja Pathrum (a prayer peculiar to the Vadagalai sect only) whereupon the Stallatars and other Tengalai people crowded and one or two Sanyasies (unable to endure that insult) had got their heads into nooses (to do away with their lives). But by informing that I would get an order to go according to mamool, I pacified them and wanted to take away the nooses from off their heads. They are yet crowding in the Temple. Three or four among the Vadagalais are wicked. With no fear for the Company's rule they do anew some acts. If your honor do not notify by beat of drum that those who go against mamool will be punished there will be no end of quarrels. This I write for the purpose of bringing it to your honor's notice and I am waiting for your honor's order thereon.

(Signed) K. VALU.

15th August 1803.

(Signed) R. H. YOUNG,
Sub. Collector.

(Signed) LATHAM,
Judge.

10th September 1835.

No. 292.

To,

Subba Pillay, Head Peishkar,
Srirangam Davastanum.

The Mahazar written to me by the Stalathars and the Uthiabacals &c. of the ...angam Davastanum stating that the Vadagalais hav... ...ch existed in the front of the Vedanthachariar's Pago... ...dagalai mark in contravention of the mamool, and that ..., you went and personally inspected it, has been herei...

You are to know it; while immediately on kno... been erased, you should at once proceed to the spot ...ined before and the state in which it is at present a... What is the cause of your remaining in expectatio... out acting as stated before? You must not only e...

conduct with regard to the matter, but also make full enquiries as to who demolished it and in what state it was before, and forwarding the documents with the original petition, you must soon report it (to the Hoozoor).

10th September 1835,
Mussery.

21st September 1835.

நிம்பர்-நாகு.

திருச்சிறாப்பள்ளி சுபாவகையறு கலெக்ட்டராகிய மகா ரா- ரா- ஸ்ரீ மெஸ்தர் என்றி மாற்டின் பிளேர்துறை யவர்கள் சமூகத்துக்கு.

ஸ்ரீ ரெங்கம் வகையறு தேவஸ்தானம் பேட் பேஷ்கார் சுப்பாபிள்ளை மிகவும் வணக்கத்துடனே சலாஞ்செய்து யெழுதிக்கொண்ட அரிஜி,

என்னவென்றால் ஸ்ரீரெங்கம் கோவிலுக்குள்ளாக யிருக்குற வேதாந்தாசாரியார் கோவில்முகப்புலே யிருந்த தென்கலை திருமணை யிடிச்சு வடகலையார் வடகலைதிருமணை மாமூலுக்கு விரோதமாயி வச்சு யிருககுறதாகவும் அதுசங்கதியை யெனக்குத் தெரியப்படுத்தினதில் நானும்போய் கண்ணாலே பார்த்திருக்குறதாகவும ஷெ தேவஸ்தானம் ஸ்தலத்தார் அத்தியாபகான் முதலானவர்கள் யெழுதிக்கொண்ட மாஜரை இதிலடக்கமாய் அனுப்பி யிருக்குறதாகவும், அதை பார்த்துக்கொண்டு ஷெ தென்கலை திருமணை யிடிச்சதாக தெரிஞ்சவுடனே அந்தயிடத்துக்குப்போய் கண்ணாலேபார்த்து முன்யிருந்த மாமூலும் நடந்திருக்குற ஸ்திதியும் விசாரணைபண்ணி அசூருக்கு தெரியப்படுத்த வேண்டியதாயிருக்க அந்தப்படிக்கி நடவாமல் அசூர்உத்திரவை யெதிர்பார்த்திருந்த காரணமென்னவென்றும் அதுசங்கதிக்கி தகுமான முகாந்திரம் அறிவிக்கச்சொல்லியும் ஷெ திருமணை யார்யிடிச்சார்கள் யென்றும் முன் யெவ்விதமாய் இருந்ததென்றும் அதுசங்கதியை விசாரணை செய்து தஸ்தவேசுகள் அசல்பிட்டீசனுடனே சீக்கிறத்தில் ரிப்போர்ட்டு செய்யச்சொல்லி [illegible] நிம்பர்சன்னதும் வந்து படிச்சுபார்த்துக்கொண்டேன்.

அதுகாரியத்துக்கு ஸ்ரீரெங்கம் கோவிலைச்சேர்ந்த சுந்நுக்கோவில் வேதாந்தாசாரியார் கோவில்வாசல் முன் மண்டபத்தில் கொடுங்கைக்கி மேலேயிருந்த தென்கலை திருமணுடையபாதத்தை யிடிச்சதாக தெரிந்த வுடனே நான்சோலிலுக்குப்போய் ஷெகோவில் பரிசாரகம் சேஷகிரிஅய்யங்காரை கூட்டிவாரச்சொன்னதற்குஷெயான் ஊரில் ஆஜரில்லையென்றும் ஷெயான் சென்னபட்டணத்துக்கு போயிருக்குறதாகவும் ஷெயான் தமையன் குமாரனாகிய தேசிகய்யங்கார் வந்து ஆஜரானான், ஆஜரான தேசிஅய்யங்காரை பார்த்து ஷெதென்கலை திருமண பாதத்தை யிடிச்சதார் யென்று கேட்டதற்கு தான்யிடிக்கவில்லை யென்றும் யார்யிடிச்சார்களோ தனக்குத்தெரியாதென்றும் அந்நாட்சி யெழுதிக்குடுத்தான், அதின்பேரில் ஷெதென்கலை திருமணபாதத்தை மாமூல் படிக்கி வச்சுப்போடச் சொன்னதற்கு அந்தப்படிக்கி வச்சுப்போடுகுறதாய் ஒப்புக்கொண்டு போயி
[illegible] பாகம் வெட்டியிருந்த தென்கலை திருமணை வடகலை திருமண்போலே செ
தெரியாவந்து அதின்பேரிலும் ஷெகோவில் பரிசாரகனைவரவழை
தனக்கு தெரியாதென்று சொன்னான். உடனே மாமூல்ப்படி
ல்லி கண்டிப்பாய் தாக்கிது செய்ததற்கு தென்கலை திருமணை
வில்லையென்றும் தெறிந்தவனைக்கொண்டு வச்சுப் போடுகுறதா
போது அசூர் உத்திரவுவந்ததின்பிறகு ஷெகோவில் பரிசாரக
து விசாரணைசெய்ததில் ஷெகோவிலில் தென்கலைதிருமணமெ
கலைதிருமணதான் வச்சுயிருந்தது யென்றும் அப்படிக்கி
ருந்து அதையிப்போது யிடிச்சதாய் ருசுவானால்சர்
னைக்கி உள்ப்பட்டுதென் புரிசாரக மிருசும் இருந்துபே
க்கான்.

மேற்படி சேஷகிரி அய்யங்கார்ஊரில் ஆஜரில்லாததுனாலேயும் மேற்படி தென்கலை திருமண பாதத்தை யிடிச்சதாய் தெறிந்தவுடனே இன்னான் இடிச்சவன் யென்றும் ருசுவாகாததுனாலே மேற்படி சேஷகிரிஅய்யங்கார்ஊருக்குப்போனவன் ஆஜரானதின்பேரில் விசாரித்து மேற்படி தென்கலை திருமணபாதத்தை யின்னான்இடிச்சானென்று தெறிந்து அவருக்குத் தெரியப்படுத்தலாமென்று யிதுவரையில் ஆலோசித்து யிருந்தேனேயல்லாது வேறில்லை.

மேற்படி வேதாந்தாசாரியார் கோவில் வடகலை சேஷகிரிஅய்யங்கார் சுவாதீனத்திலிருந்து பரிசாறகம், வேலைமுதலானதுநடந்துவந்தபோதிலும் மேற்படி வேதாந்தாசாரியார் கோவில்வாசல்முன் மண்டபம் கொடுங்கைக்கி மேலே வெகுகாலமாய் தென்கலை திருமண வைத்து யிருந்ததாய் வெகுபேர்மூலமாய் தெறியவந்ததுந்தவிர நானுங்கண்ணாலே பார்த்துயிருக்குறது மல்லாமல் விசாரிணையிலும் தேசிகய்யங்கார்யென்கிறவனை வரவழைத்து கேட்க்கும்போதும், யாரோதென்கலை திருமண பாதத்தை வெட்டியிருக்குறான் யென்றும் மேற்படியான் யெழுதிவச்சஅத்தாட்சியினாலேயும் திஸ்டாந்திறமாய் ருசுவாயிருக்க இந்ததென்கலை திருமண காறியத்துக்கு இப்போது சேஷகிரி அய்யங்கார் யென்கிறவன் மேற்படி கோவிலில் தென்கலை திருமண வைக்காம லிருந்தது போலே அபோத கல்ப்பனையாய் வாக்குமூலம் யெழுதி வைக்கப்பட்டவனை யெவ்விதமாய் மேற்படி கோவிலில்வைத்து பரிசாறகம் வேலை நிறவேத்துகுறது.

மேற்படி கோவில் சகலத்திருக்கும் தெறிந்து தென்கலை திருமண வச்சயிருந்த அதினுடைய பாதத்தை இடிக்கும்படி மேற்படி சேஷகிரிஅய்யங்கார் தானே ஒருவனைக்கொண்டு செயிவிச்சு இப்போது மேற்படி கோவிலில் தென்கலை திருமணவச்சு யிருந்ததில்லையென்று சொல்லப்பட்டதை யோசிக்கும்போது சத்தப்பிரட்டாய் வாக்கு மூலம் யெழுதிவைத்து யிருக்குறதாய் காணுகுறது.

மேற்படி பரிசாறகம் சேஷகிரிஅய்யங்காருக்கு பாரிஅபராதம் விதித்து மாமூல்ப்படிக்கி தென்கலை திருமண வைக்கும்படியாயி உத்திரவாகவேண்டிய சங்கதியை சமுஷமத்துக்கு தெரியலாவதாய் யெழுதிக்கொண்டதுந் தவிற இப்போது சேஷகிரிஅய்யங்காரிடத்தில் வாங்கின வாக்குமூலம் க- மேற்படியான் தமையன்குமாரன் தேசிகய்யங்கா ரிடத்தில் முன்னாலே வாங்கியிருந்த ஒலைஅத்தாட்சிக்கி நகல் க- ஸ்தலத்தார் வகையறா தென்கலையார் அசல் மாசர் க-ம் இதிலடக்கமாயி அனுப்பிவித்து யிருக்குறேன் உத்திரவு வருகுறபடிக்கி நடந்துகொள்ளுகுறேன்.

௲அ௱௩௰௫௵
சப்டெம்பர்௴ ௨௰௧௳ } (ஒப்பம்) பேட்பேஷ்கார் சுப்பாபிள்ளை.

21st November 1835.

No. 389.

ஸ்ரீரெங்கம் தேவஸ்தானம் பேட்பேஷ்கார் சுப்பாபிள்ளைக்கி

யென்னவென்றால் சென்றமீ௴ ௨௰௧௳ உம்முடைய ரிப்போர்ட்டினாலே வேதாந்தாசாரியர்கோவில் வாசப்படிக்கி மேலிருந்த தெங்கலை திருமண் அடயாளத்தை இடித்துப்போட்டு அதற்குபதிலாக வடகலை அடயாளம் வைத்திருக்குறதாக காணப்படுகிறது பின்னும் மேற்படி உம்முடைய அர்ஜியினாலே யிந்தஅனுவல் சேஷகிரி அய்யங்காருடைய மூலத்தில் செய்திருக்குறதாக காணப்படுகிறது.

இப்போது நீர்உத்திரவு செய்யப்பட்டிருக்குறது யென்னவென்றால் யிந்த தாக்கீது வரப்பத்திக்கொண்டதினபேரில் மேல்சொல்லிய வாசப்படியின்மேல் முன்னிருந்தபடி தெங்கலை திருமண் அடயாளத்தை மறுபடியும் வைத்து அதை

Translation.

To,

Subba Pillay, Head Peishkar of
Srirangam Devastanam.

From your report under date the 21st September it appears that the Tengalai mark which was on the gateway of Vadantachari Kovil was destroyed and a Vadagalai mark substituted for it. It also appears from your Arzee that the said act was done through the medium of Seshagberry Aiyengar.

You are hereby directed that upon the receipt of this takeed you are to have the mark of Tengalai again placed upon the gateway as it was previously and intimate

வைத்தவுடனே நமக்குத் தெரியப் படுத்தவும் அதை பார்க்கிறதற்காக நாம்ஒருத்தனை அனுப்புவோம் நீர் சேஷகிரி அய்யங்காரை நமமிடத்துக்கு அனுப்பவும்.

மேற்படி வாசப்படியில் மறுபடியும் தெங்கலை திருமண் அடயாளத்தை ஸ்தாபித்து யிருக்குறதை குறித்து ஆறுவது யேதாவது அலம்பல செய்தால் அவர்கள் போலீஸ்காறுலெ பிடிககப்பட்டு ரிகுலேஷன் பிரகாரம் தெண்டிக்கப்படுவார்கள்.

நாம் யிந்தசங்கதியில் உம்மை மிகவும் குத்தம சாட்டப்பட வேண்டி யிருக்குறவுகை நினைக்குறோம் யேனென்றால்உம்முடையஉத்தியோகத்தைசசேந்த அலுவல் களுக்கு கவனவ்தனுகயிருக்தால் வடகலை பிராமணுளுடைய இந்தமோசமுள்ளமாறுபாடு நடந்திருக்க மாட்டாது. ஸ்ரீரெங்கம் கோவிலிலேயும் ஸ்ரீரெங்கம் யேழுமதளுக்குள்ளேயும் வேதத்தைச்சேர்ந்த யெல்லா பாத்தியமும்மரியாதைகளும்சடங்குகளும் ஜில்லாகோர்ட்டு திர்ப்புனுலே தெங்கலைமதத்துக்கு ஸ்தாபிக்கப் பட்டிருக்குறதுகள் யென்றும் யிற்பாடு அந்ததிர்ப்பு சதற் கோரட்டாறுலே உறுதிப்படுத்தப் பட்டிருக்குற தென்றும் பின்னும் மேற்படிகோவிலுடைய பிறுகாரந்துக் குள்ளாக குடியிருக்குற வடகலையார்கள் மேல்சொல்லிய திர்ப்பின மத்தளிப்புக்கு விரோதமாய் நடந்தால் அவர்கள் மேஜஸ்திரேட்டு துரையவர்களாலே தெண்டனைப்பட வேணுமென்றும் உமக்கு செம்மையாய் தெரியுமே ஆகையால் வடகலையார்கள் யெடுத்துவிடுகுற பித்தலாட்டங்களை நீர்கவனிக்க வேண்டியதில்லை ஆனால் மேல்சொல்லி யிருக்கப்பட்ட திர்ப்பின் கருத்தை கண்டிப்பாய் நிறைவேற்ற கவனிக்கவேண்டியது நீர் வடகலையாரை மைத்தொரு மதத்துக்கு ஸ்தாபிக்கப்பட்டிருக்குற பாத்தியங்களிலும் மிறாசுகளிலும் யெவ்வளவும் கெடுதல் செய்யும்படிக்கி செய்குறதைப் பார்த்தால் கோவிலில் சச்சரவு ...ந்கி நீரே காரணராக யிருக்குறீர்.

இப்போ அறியவேண்டிய தென்னவென்றால். கோவிலில் கோர்ட்டுதிர்ப்புக்கு யேதாகிலும் நூதனமாய் விரோதமாக நடந்தால் நீர்உத்திறவுப்படி அதை உடனே நிறுத்தாமலும் அதுசங்கதியைநமக்கு த்தெரியப் படுத்தாமலும் யிருந்தால் நாம சந்தேகமில்லாமல் உம்முடைய உத்தியோகத்தி லிருந்து அப்படி உத்திரவாதியாயிருக்குற அலுவலில் நம்புகுறதற்கு அயோக்கியனென்று அப்புறப்படுத்துவோம்.

திருச்சினாப்பள்ளி,
௲௮௱௩௰௫ம் ௵
நவம்பர்மீ ௨௰௧௳ } (Sid) H. M. BLAIR,
Collector.

the same immediately. We will send a person to see it. You are to send Seshagherry Aiyengar to us.

Should any one cause any disturbance regarding the Tengalai mark replaced now they will be arrested by the police and punished according to Regulations.

We think that in this matter you are much to be blamed. If you were attentive to your duties this fradulent intrigue of the Vadagalai Brahmans would not have taken place. You are perfectly aware that all rights, respects, and the performance of ceremonies according to Vedas in the Pagoda at Srirangam, and within the 7 walls of Srirangam, have been conferred by the Zillah Court decree on the Tengalais, that the said decree has been subsequently confirmed by the Suddar Court and that if the Vadagalais who live within the Prakaram of the Pagoda act contrary to the terms of the said decree they will be punished by the Magistrate. You need not mind or take notice of the intrigues of the Vadagalais but you are to pay attention strictly to carry the terms of the said decree.

By your permitting the Vadagalais to interfere in the rights and mirasees established to another sect, you become the cause for disturbance in the Kovil.

You are now hereby to understand that if you don't prevent any new thing contrary to the Decree of the Court, and if you fail to report the same to us, we will without any doubt remove you from your situation as a person not to be trusted with so responsible a situation.

Trichinopoly,
21st Novr. 1835. } (Sid.) H. M. BLAIR,
Collector.

௲௮௱௩௰௫ ௵ அக்டோபர் ௴ ௩ ௳
தெ. ௩ யிக்ஷ.

திருச்சிறாப்பள்ளி சுபாவகையறு கலெக்கட
ருகிய மகா-ள-ஸ்ரீ மேஸ்தற் என்ரி மாற்ட்டின் பி
ளேற் துரையவர்கள் சம்ஸமத்துக்கு.

ஸ்ரீறெங்கம்வகையறு தேவஸ்தானம் பேட்டு
பேஷ்க்காற் சுப்பாபிள்ளை மிகவும் வணக்கத்துட
னே சலாமுசெய்து எழுதிக்கொண்ட அரிஜீ.

என்னவென்றால் ஸ்ரீறெங்கம் தேவஸ்த்தான
த்தைசேர்ந்த சுந்துக்கோவில் வேதாந்தாசாரி
யார் திருநட்சத்திறத்துக்காக மேற்படி கோவி
ல்பரிசாறகம் சேஷகிரிஅய்யங்கார்வகையறுப்பே
ர்கள் மேற்படி வேதாந்தாசாரியாரை எழுந்த
ருளப்பண்ணிக்கொண்டு வழக்கப்படிக்கி நேத்த
தினம் காலமே 6-மணிக்கி எம்பெருமானாற்கோ
விலுக்கு வந்தவுடனே மேற்படி வேதாந்தாசாரி
யாற்கோவில் பரிசாறகம் சேஷகிரி அயயங்காற்
ஷெ கோவிலுக்கு திருமண காணிக்கை ஒருப
ணமும் பாக்குவெத்திலையும் குடுத்ததாகவும் அ
தைவாங்கிக்கொண்டு மேற்படி எம்பெருமானாற்
கோவிலிலிருக்கிற ஜீயயற முதலியாண்டானை
மேற்படிபரிசாறகம்சேஷஅய்யங்காருக்குசாதிச்
சவுடனே மேற்படி வேதாந்தாசாரியாரை மேற்
படி எம்பெருமானாற்கோவில் அர்த்தமண்டபத்
தில் ஏளப்பண்ணினதாகவும் அதின்பேரில் மே
ற்படி எம்பெருமானாற்கோவில் பரிசாறகம் பெ
ரியப்பங்காற் யென்கிறவன் வழக்கப்படிக்கி தெ
ன்கலையாருகிய அத்தியாபகாள் அய்யாவய்யங்கா
ர் முதலானபேரைசேவாக்காலம் பண்ணச்சொ
ன்னதாகவும் மேற்படி அத்தியாபகாள் மேற்ப
டி வேதாந்தாசாரியாருக்கு வழக்கத்துக்கு வி
ரோதமாயி வடகலை திருமணவைத்திருக்கிறப
டியினாலே தாங்கள் சேவாக்காலம் செய்கிறதில்
லையென்று சொன்னதாகவும் மேற்படி வேதாந்
தாசாரியாற்கோவில்பரிசாறகம்சேஷகிரிஅய்யங்
காரைபார்த்துவழக்கத்துக்கு விரோதமாயி என்
வடகலைதிருமண வைத்துக்கொண்டுவந்தாய் எ
ன்று மேற்படி எம்பெருமானாற் கோவில்பரிசா
றகம் பெரியப்பங்காற்கேட்டதற்கு மேற்படி வே
தாந்தாசாரியார் கோவில்பரிசாறகன் முதலான
வடகலையார்கள் மேற்படி வேதாந்தாசாரியாரை
அநுசிதமாயும் வழக்கத்துக்கு விரோதமாயும்
வெளியில் தூக்கிக்கொண்டுபோயி ஸ்ரீறெங்கநா
தசுவாமியாற் சன்னதி சந்தனமண்டபத்தில் பெ
ருமாளுக்கு யெதிற்கொண்டுபோயி வைத்து மே
ற்படி கோவிலில் மாமூல்படிக்கி மரியாதைசெய்
யச் சொன்னதாகவும் அதற்கு எம்பெருமானாற்
கோவிலில் மாமூல்படிக்கி தென்கலையாகிய அத்
தியாபகாள் சேவாக்காலம்செயிது சாத்துமுறை
பண்ணி விநியோகம் முதலானதும் செய்து ம
ரியாதையும்பெத்துக்கொண்டுவருதறினாலேமே
ற்படி ஸ்ரீறெங்கநாதசுவாமி சன்னதியிலும் மாமு

3rd October 1835.

To

H. M. BLAIR Esquire,
COLLECTOR OF TRICHIN

The humble urzee of Sobba Pillai Hea
Peishkar of Srirangam Davastanam, showeth that,

I was given to understand that on the *birth-day of* Vadantachari of the temple attached to Srirangam Pagoda, the servants of that temple Seshagiri Aiyengar and others brought out Vadantachariar and as usual yesterday morning at 6 o'clock came to *Yembarumanar* Covil, and Seshagiri, Aiyengar, servant of Vadantachary's Covil, gave to that covil a tribute of one fanam, and betel and nut, and this was received and Mudaliyandan (feet) by the jeyer of the covil was given, and then Vadantachari was lodged in the Ardamantapam in Yembarumanar Covil. That Periyappangar the servant of the said Yembaramanur Covil asked Adiyapaka Ayasawmy Aiyengar and other Tengalais as usual to make Savakalam (recital of the cant entitled prabandam); *that the said Adiyapakals declined to do so, because Vadagalai mark was affixed to Vadantachariar contrary to mamool;* that Periyappangar the servant of the Yembaramanur Covil asked Seshagiri Aiyengar of the Vadantachary Covil *why Vadagalai mark was put contrary to practice;* and thereupon the servant of the Vadantachari Covil and other Vadagalais, *took away Vadantachariar improperly* and against practice placed it in Chandana Mandapam in front of Sriranganada *Swami* and claimed the usual *respect from that Swami;* that the Stalathars and Adyapakals and other Tengalais of the Pagoda, objected to do the usual respects &c. in Sriranganatha Swami Covil because the Adiyapakals who are Tengalais, did not recite prabandams in Yemberamanar Covil and close the cant and Viniogum (distribution of eatables) was not made and usual *respects were not* rendered; and that Vadagalais were raising objections to the effect that they will not remove and take away Vadantachariar from Sriranganada Swami Covil. As soon

...ரியாரை தருதலான துகட்டப்பிவிக்க கூ... மேற்படி கோவில் ஸ்தலத்தார் அ...ன முதலான தென்கலையார் தடங்கல...வும் ஆனால் வேதாந்தாசாரியாரை பெ...ளதினிட்டு எழுந்தருளப்பண்ணி வெ...ண்டுபோகிறதில்லையென்று வடகலை...ளுற்சொலவிக்கொண்டு யிருக்குறச...க்குத்தெரிந்து உடனே மேற்படி வே...யாற்கோவில்பரிசாறகம் சேஷகிரிஅய்யங்காரை வரவழைத்து மேற்படி வேதாந்தாசாரியாருக்கு வழக்கத்துக்குவிரோதமாயி வடகலை திருமணைவைத்து திருநட்சத்திறத்துக்காக வெளியில்யெழுந்தருளப் பண்ணிக்கொண்டு வறலாமாவென்றும் மேற்படி வேதாந்தாசாரியாருக்கு ஆசாரியாறாகிய எம்பெருமானுற் கோவிலில மாமுல்படிக்கி சேவாக்காலம் வினியோகம் நடக்குறதுக்கு முன்னுதாயி மேற்படி வேதாந்தாசாரியாரை தருகிதமாயும் வழக்கத்துக்கு விரோதமாயும் எழுந்தருளப் பண்ணலாமாவென்றும் விசாறணைசெயிததில் மேற்படி வேதாந்தாசாரியாருக்கு எம்பெருமானும் கோவிலில் மரியாதி நடந்தவுடனே மாமுல்படிக்கி நடந்ததாகவும் மேற்படி வேதாந்தாசாரியாருக்கு வடகலை திருமணை தான்வைக்கிற தென்றும் சிலவிபறத்துடனேவாக்குமூலம் யெழுதிவைத்தான்.

அதற்காக எம்பெருமானுற் கோவில்பரிசாறகம் பெரியப்பங்காரை விசாறணை செய்ததில் மேற்படி வேதாந்தாசாரியார் கோவில்பரிசாறகம் சேஷகிரிஅய்யங்கார் வகையரு ப்பேர் மேற்படி வேதாந்தாசாரியாருக்கு வழக்கத்துக்கு விரோதமாய் வடகலைதிருமணைவச்சு கொண்டுவந்ததாய் தென்கலையாறாகிய அத்தியாபகாள் சேவாக்காலம் பண்ணமாட்டோமென்று சொன்னதாகவும் அதின்பேரில் மேலெழுதியபடிக்கி வேதாந்தாசாரியாரை வழக்கத்துக்கு விரோதமாயும் வினியோகம முதலானது நடக்கிறதற்கு முன்னுதாய் தருகிதமாய் தூக்கிக்கொண்டு போய்விட்டதாய் சிலவிபறத்துடனே வாக்குமூலம் எழுதிவைத்தான்.

மேற்படி கோவில் கொரட்டுமணியகாரன் உத்திறமணியகாரன் முதலான்பேறை மாமூல் விசாரிக்கலாமென்றால் மேற்படியார்கள் வடகலையாறென்றும் தென்கலையாகிய ஸ்தலத்தார் முதலானவற்கள் விசாரிக்கக்கூடாதென்றும் வெகுபேர் கூட்டத்துடனேவந்து தடங்கல் செய்தார்கள்.

ஸ்தானிகாள் முதலானபேறை விசாரிக்கலாமென்று வரவழைத்தால் மேற்படியார்கள் தென்கலை யானபடியினுலே அவாளை விசாரிக்கக்கூடாதென்று வடகலையார்கள் வந்து தடங்கல் செய்தார்கள்.

ஒருவன் இரண்டுபேர் பத்துப்பேர் யென்றுலும் தேவஸ்தானம் அதிகாறத்தைக் கொண்டு

as I received this information, I sent for Seshagiri Aiyengar of Vadantachary Covil and enquired as to how can he (Vadantacharri) be affixed *with* Vadagalai *mark contrary* to *mamool*, and brought forward in its birth-day, and how can Vadantachariar be removed improperly contrary to mamool from the temple of Yembaramanar, who was his (Vadantachariar's) priest before the usual recital of Prabandams was as usual conducted and Viniogum (distribution of eatables) was made. *He* (*Sesha-Aiyengar*) gave *a deposition* to *the effect that the usual respects were done in Yembaramanar's Covil and that* Vadagalai *mark only was being affixed to* Vadantachari.

I examined Periyappangar, the servant of Yembaramanar Covil, on the subject and he deposes that Vadagalai *mark was put to* Vadantachari *contrary to practice and* brought out by Seshagiri Aiyengar (servant of Vadantacharri Covil) and others and that Adiyapakals of Tengalais refused to make Sevakalam (recital of prabandam) and that as stated before, Vadantachariar was, *contrary to mamool* and before Viniogum (distribution of good &c.) was made improperly taken away.

As regards the examination of Koratto Maniyacaran, Utharamaniyakaran and others of the Pagoda, as to mamool, the stalathars and others came in a large crowd and objected to it saying that they are Vadagalais.

As for the examination of stanikars and others, whom I sent for, the Vadagalais object saying they are Tengalais.

If there be one, two or ten, business may be managed with the authority of

கிறவேற்றமாம் தென்கலையில் வெகுகூட்டம்சனம். வடகலையில் வெகுகூட்டம் சனம். கச்சேரிமுதலானதும் ரொம்பி அடிகடிமட்டும் இல்லாமல் என்விசாறணையும தவக்கபடுத்தினதுக்தவிற என் உத்திறவுபடிக்கியாதொன்னும் நடவாமலிருக்கும்படி மேல்படி இறண்டுகட்சிபேர்களும் செய்தார்கள்.

நேத்தயத்தினம் ஏகாதேசி உச்சவமானபடியினாலே பெருமாள்சன்னதியிலிருந்து வெளியில் சந்தண மண்டபத்துக்குவந்து திருமஞ்சனம் முதலானது நடக்கவேண்டியதற்கு மேற்படி வேதாந்தாசாரியாளை பெருமாள் சன்னதிக்கியெதிர சந்தண மண்டபத்தில் வடகலையார்களாகிய மேலெழுதியபேர்கள் வைத்திருக்கிறதுக்கு எம்பெருமானற் கோவிலில் வடகலையார் துருகிதம்செய்திருந்தபோதிலும் பெருமாள் சன்னதியில் மாமூல்படிக்கி மரியாதிசெய்து அனுப்பிவித்து பெருமாள் ஏகாதேசி உச்சபம்நடக்கவேணுமென்று சொன்னால் மேற்படி கோவில் ஸ்தலத்தார் முதலானவர்கள் வேதாந்தாசாரியாளை யெம்பெருமானர் கோவிலில் வழக்கப்படிக்கி வடகலையார் வைத்திருந்து தென்கலையாரைகொண்டு மாமூல்படிக்கி சேவாக்காலம் சாத்துமுறை விநியோகம் முதலானது நடக்காததுனாலேயும் மேற்படி வேதாந்தாசாரியாருக்கு வழக்கத்துக்கு விரோதமாய் வடகலைதிருமண வைத்திருக்கிறபடியினாலே ஸ்ரீரெங்கநாத சுவாமி சன்னதியிலிருந்து யாதொரு மரியாதையும் நடப்பிவிக்கும்படி தாங்கள் சம்மதிக்கமாட்டோமென்றும் ஷை வேதாந்தாசாரியாரை பெருமானுக்கு எதிர்சந்தண மண்டபத்தில் வைத்திருக்கிறதை அப்பரம் எடுத்து வைத்துப்போட்டு பெருமாள் யெழுந்தருளப் பண்ணிசந்தண மண்டபத்தில் ஏகாதேசி உச்சபம் நடப்பிவைக்கச்சொல்லி ஷை கோவில் ஸ்தலத்தார் ஊளியகாரர் அத்தியாபகாள் தென்கலையார் முழுதும் ஒண்ணுசேர்ந்து சொன்னார்கள்:—

வடகலையாற் முழுதும் ஒண்ணுசேர்ந்து மாமூல்படிக்கி வேதாந்தாசாரியாருக்கு, எம்பெருமானர் கோவிலில் மரியாதை பெத்துவந்ததாகவும், வடகலை திருமண வழக்கப்படிக்கு வைத்திருக்கிறதாகவும், பெருமாளுக்கு யெதிர் வைத்திருக்கும ஷை வேதாந்தாசாரியாருக்கு மாமூல்படிக்கி மரியாதை முதலானதும் நடப்பி வைக்காமல் அப்பறத்தில் தூக்கிவைத்து யேதாவது துருகிறதம் செய்து யேகாதேசிஉச்சபத்துக்கு பெருமாளை யெதிரிலிருக்கும சந்தணமண்டபத்துக்கு யெழுந்தருளப் பண்ணினால் தாங்கள் பிறாணணைக்கொடுத்து விடுவோமென்று ரொம்பவும் தகறார் செய்து யென்னிடத்தில் அதிகாறவழம்புதப்பி மேற்படி யிருவகைப்பேரும் பேசினார்கள்.

the Pagoda. There is a very large crowd among Tengalais and similarly among Vadagalais. The cutchery &c. was filled and not only was my enquiry obstructed, but both parties served to prevent the carrying out of any thing according to my orders. But there was no collision.

As yesterday was *Yekadasi Ustavam*, Perumal should be brought out of its lodgings and placed in Chundana Mantapam and Thirumanjanam should be performed. As Vadantachariar was placed in *Chundana Mantapam* by the above said Vadagalais in front of Perumal Sanadi, I proposed *that although* Vadagalais *have acted improperly in Yembaramanar Covil*, the usual respects may be done from Perumal Sunnidi, and Vadantacharri sent away and Yekadasi Ustavam performed. The stalathars refused to consent to any respect being shown from Renganada Swami because after placing Vadantacharri, by Vadagalais as usual in Yembaramanar Covil, the usual recital of prabandams, Viniogum &c. were, as usual, not parformed and *because contrary to mamool Vadagalai* mark was *affixed to the said* Vadantachariar. The stalathars, servants of the Pagoda, Adiyapakals and all Tengalais *said in one body*, that Vadantachariar should be removed from Chundanamantapam and Renganada Swami should be brought into the Mantapam *and* Yekadasi Ustavam should be performed.

Vadagalais in a body said that usual *respects were performed to* Vadantachari in Yembaramunar Covil, that as usual Vadagalai mark was put to Vadantachari, and that if the usual respects were not made to the said Vadantachari, who came in front of Renganatha Swami and if Vadantachari was removed to elsewhere forcibly and Renganatha Swami brought into Chundana Mantabam for the purpose of Yekadasi Ustavam, they would give up their lives. Both parties spoke in strong antagonastic terms.

அதற்காக இருவகைப்பேறையும் சச்சரவுப் படாமல் சமுதாயக்கக்கொண்டிருக்கும்போது தென்கலையை சேர்ந்த சாத்தாத் பெரியதனக்கார நாலுபேரில் ஒருவனுகிய கஸ்தூரிரெங்கன் யென்கிறவன் ஷை கூட்டத்துக்கு வெளியிலிருந்தவன் யென்னிடத்துக்குவந்து வடகலையார் மாமூல் படிக்கி நடந்தால் தாங்கள் கோவில் ஊழியம் பண்ணுவோம் இல்லாவிட்டால் கோவில் காரியம் பாற்க்கமாட்டோமென்று சொன்னன் ஷை கஸ்தூரி ரெங்கனை யென்னிடத்தில்நிருத்திக்கொண்டு விசாரணை செய்ததில் ஷை வேதாந்தாசாரியாருக்கு என்றைக்கும் நெத்தியில் வடகலை திருமணைதான் வைக்கிற வழக்கமென்றும் தென்கலை திருமணை வைக்குறதில்லை யென்றும் ஆனல் ஷை வேதாந்தாசாரியார் கோவில் வெளிமண்டபத்தில் யெப்போதும் தென்கலை திருமணை வைத்து யிருந்ததை யிப்போது வடகலையார் பாதத்தை இடித்து இருக்கிறார்கள் யென்றும் வாக்குமூலம் யெழுதிவைத்தான்.

அதின்பேரில் பெருமாள் ஏகாதேசி உச்சபம் நடக்கிறது குந்தக்கமா யிருக்கிற தென்று ரொம்பவும் தென்கலையாருகிய ஸ்தலத்தார் முதலான பேறை சமுதாயச்சு ஷை வேதாந்தாசாரியார் ஸ்ரீ ரெங்கனாத சுவாமியார் சன்னதிக்கி யெதிர்கொண்டுவந்து வைத்திருக்கிறதற்கு மாமூல்படிக்கி மரியாதை முதலானது நடப்பிவைத்து ஷை வேதாந்தாசாரியார் வீதியில் யெழுந்தருளினதின்பிறகு சாயந்திரம் ௫-மணிக்கி வெகு தாமிசப்பட்டு பெருமாள் சந்தனமண்டபத்தில் யெழுந்தருளி திருமஞ்சனம் முதலானதும் நடந்தது.

மேற்படி வேதாந்தாசாரியருக்கு வடகலை திருமணைதான் யென்றைக்கும் வைக்கிற வழக்கமென்றும் வடகலையார் முழுதும் சொல்லுகிறார்கள்.

தென்கலையார் முழுதும் நெடுகிலும் தென்கலை திருமணைதான் வைக்குறவழக்க மென்றும் சொல்லுகுறார்கள் இதரசாதிகளையும் கச்சேரி கேள்வி கணக்கப்பிள்ளை முதலானபேறை கேட்டால் ஷை வேதாந்தாசாரியார் சுத்துக்கோவில் ஆகச்சே வருஷத்தில்ஒருநாள் வீதிக்கி வருகிற படியினலே தென்கலை திருமணை வைத்திருந்ததும் வடகலை திருமணை வைத்திருக்கிறதும் தாங்கள் பார்த்த தில்லையென்றும் தங்களுக்குத் தெரியாதென்றும் சொல்லுகிருன்.

ஸ்ரீ ரெங்கம் சப்த்தப்பிராகாரமும் தென்கலையாருக்கு கட்டப்பட்டதென்றும் தென்கலையார் அனுமதியின் பேரில் மேற்படி வடகலையார் வீட்டில் நன்மை தின்மை முதலானதுக்கு தென்கலையாரைக்கொண்டு நிறவேற்றுகிற தென்றும் ௲அ௱அ வருஷத்திய ௱௩௰-வது நிம்பர் ஜில்லாக் கோர்ட்டு தீர்ப்பிலும் கண்டிருக்கிறது மல்லாம

While I was reconciling both parties, one of *the 4 headman of the Satanis, by name Custoori Rengan*, who is attached to Tengalai and who was out of the crowd came to me and said *if* Vadagalais *act according to Mamool, they (Satanis) would do Covil service, if not they will not serve.* I detained that Custoori Rengan with me and examined him. He deposed that it is mamool to put Vadagalai mark always in the *face of* Vadantacharri, that it is not Mamool to put Tengalai mark, but that Vadagalais have now knocked down the padam (lower stroke) of the Tengalai mark throughout existing in the outer Mantapam of the said Vadantacharri Covil.

As the Yekadasi Ustavam was likely to be obstructed I pacified the Stalathars &c. Tengalais, and caused the usual respects to be made to the said Vadantacharri who was placed in front of Sri Ranganatha Swami; after Vadantacharri went into street, Perumal after much delay came to Chundana Mantapam at 5 in the evening, Tirumanjanam &c. was performed.

The whole of Vadagalais say that it is mamool to put for ever Vadagalai mark only to Vadantachariar.

The whole Tengalais say that throughout it is mamool to put Tengalai mark only. Other caste people and Davastanam Kalvi Curnams &c. say on enquiry that as Vadantacharriar is one of the surrounding temples, and as it came into the street once a year, they dont know whether Tengalai mark or Vadagalai mark was put.

The Zillah Court decree No. 130 of 1808, contains that Srirangam Sapthapracaram was built for Tengalais, that with the consent of Tengalais, the Nanmai and Thinmai in the house of Vadagalais

ல் வடகலையார் கோவிலில் யாதொருசடங்குகளிலும் பிறவேசிக்க கூடாதென்றும் கண்டிருக்கிறது.

மேற்படி யெம்பெருமானார் தென்கலை திருமணைவைத்துக்கொண்டு யிருக்கிறபடியினாலே அவருக்கு சிஷரான வேதாந் தாசாரியாருக்கும் தென்கலை திருமண வைத்திருக்கவேணுமே யல்லாது வடகலை திருமண வைத்திருக்க மாட்டாது.

ஆனால் மேற்படி கோவில் ஸ்தலத்தார் அத்தியாபகாள் முதலான தென்கலையார்கள் நேற்றையத்தினம் மேற்படி வேதாந்தாசாரியாருக்குவடகலைதிருமண வைத்துக்கொண்டு வந்ததாய் சொல்லப்பட்டதை ஆலோசிக்கும்போது மேற்படி வேதாந் தாசாரியார் கோவில் வடகலையார் சுவாதீனத்தி லிருக்கிற படியினாலே வடகலை திருமண வைக்கும்படி வெகுனாளாய் சாக்கிறதைசெய்திருப்பார்களே யல்லாமல் தென்கலைதிருமண வைக்கமாட்டான் போலே காண்கிறதுந் தவிற நேத்தையத்தினம் வடகலை திருமண புதுசாய் வைத்ததாய் காணவில்லை.

இப்போது அந்த வேதாந்தாசாரியார் நெத்தியை சோதித்து பார்க்கலாமென்றால் மேற்படி கோவில் பரிசாறகன் தன்னுடைய எசமான் அகோபள சுவாமியார் உத்திறவாக வேணுமென்றும் தான்சுதாவாய் காண்பிவிக்க கூடாதென்றும் சொல்லுகிறான்.

இப்படிக்கிருக்க தென்கலையாரும் வடகலையாரும் ஒருத்தருக் கொருத்தர் சச்சரவுப் பட்டுக்கொண்டு வீண்தகறார் செய்து சுவாமிகாரியத்தை வெகுநேரம நேத்தையத்தினம் தாமசம் செய்தபடியினாலே இதற்கொரு தீர்மானம் செய்து கண்டிப்பாய் உத்திரவாகாவிட்டால் இனி வருகிற நாளதுபசலி அற்பிசைமீ ௩௨ தீபாவளி உச்சபதினத்தில் மேற்படி வேதாந்தாசாரியார் வெளியில் வரும்போது மிகவும் சச்சரவு நேரிடும்போலே காண்கிறது.

ஆகையால் யிதுசங்கதியை சம்ஷமத்துக்கு தெரியலாவதாய் யெழுதிக் கொண்டதுந்தவிற விசாரணையில் வாங்கினவாக்குமூலம் ௩-ம் இதிலடக்கமாய் அனுப்பிவைத் திருக்கிறேன் உத்திரவு வருகிறபடிக்கி நடந்துகொள்ளுகிறேன்.

௲௮௱௩௰௫ௗ
அக்டோபர்மீ ௩ௗ } (ஒப்பம்) ஹெட்பேஷ்கார்,
முகாம் ஸ்ரீரெங்கம். } சுப்பாபிள்ளை.

should be performed through the Tengalais and that Vadagalais should not enter into any ceremony whatever in the Pagoda.

As Yembaramanar wears Tengalai thiruman, his disciple Vadantacharri should have worn the same mark and could not wear Vadagalai mark.

As regards the statement of stalathars and Adiyapakas and other Tengalais that Vadagalai thiruman was put yesterday to Vadantacharri, it strikes me that as Vadantacharriar Covil is in the charge of the Vadagalais, they would have in the long course of time taken care to "put Vadagalai mark and would not put Tengalai mark and further the Vadagalai mark does not seem to have been newly put yesterday.

I wanted now to examine the face of the said Vadantacharriar, but the servant of that covil says, that the permission of Ahobala Swamiar is necessary and that he cannot of his own will show it.

As from useless quarrels between Tengalais and Vadagalais, the business of Swami was yesterday delayed. A decision and definite orders should be issued; if not disturbance would probably occur on the occasion of the carrying out of Vadantacharriar on Deepavali-day in the month of Arpasi next.

I bring all these to your notice and beg to enclose the 3 depositions taken. I will abide by the orders issued.

3rd October 1835, Srirangam. } (Sigd.) Sobba Pillai
Head Peishkor.

6th October 1835.

No. 328

To,

SUBBA PILLAI, Head Peishkar of
Srirungam.

Your long Arzee No. 318 stating that owing to the mob of two sectarians, Viz, Tengalais and Vadagalais on the dispute that on the day of Thirunatchatharam or birth-

day of Vadantachariyar of one of the *suthu* or side temples of Srirangam Devastanam, the Tengalais complained that contrary to custom, Vadagalai Tiruman was kept to the said Swami (Vadantachariyar) while Vadagalais stated that Vadagalai mark had been put all along, the Yekadasi Thirumanjanam to Perumal (Renganatha Swami) was performed after a long delay and contrary to custom, has been received.

In the matter of the Thiruman in question the practice hitherto observed should even now be followed and nothing should take place contrary to it.

But when we consider the occurrence of such dispute in your Head Peishkar's time, while it did not occur heretofore (we are of opinion) that if you had ever gone into each Kovil, inspected them and enquired after the custom, you would have acted according to that custom, and written definitely how it was before and how it is now. Instead of this, you write without any responsibility that Tengalais say one way, Vadagalais say one way, different Sectarians say one way, and one way appears to you. Hence it appears clear that you don't look after the Pagoda affairs properly.

Regarding the Thiruman of Vadantachari, no dispute had occurred hitherto from a long time and when seeing the frequent occurrence of the said matter (dispute) at present it appears that both parties intend creating vain disturbances. We therefore hereby direct that if any sectarians attempt to create vain disturbance, convene a mob of people and cause a riot to take place and if the mob be ever large they will be arrested by the sepoys of the company and tried under the Regulations in our Magistrate capacity and committed to jail for adequate punishment. You are to inform this very strictly to Vadagalais and Tengalais Stallatars, and take care that they may not attempt to do such illegal acts.

If you allow any further illegality to take place in this matter, you will without doubt be dismissed on that very same moment and another clever man able to perform the said duties will be appointed. You are to think this as certain and behave properly.

6th October 1835.
Musiri.

(Signed) H. M. BLAIR,
Collector.

௲௮௱௩௰௫ ௵ அக்டோபர் ௴ ௬ ௳

நெ. 330,

ஸ்ரீரெங்கம் வகையரா தேவஸ்தானம் ஹெட் பேஷ்கார் சுப்பாபிள்ளைக்கு என்னவென்றால்.

ஸ்ரீரெங்கம் கோவிலைச்சேர்ந்த வேதாந்தாசாரியார் திருநட்சத்திரத்தின் தினம், ஷெ சுவாமிக்கி வழக்கத்துக்கு விரோதமாய் வடகலை திருமண வைத்திருந்ததாகவும் வைத்தும் சங்கதியாய் ஷெ கோவில் ஸ்தலத்தார் முதலாகிய தென்கலையார் அஜூருக்கு எழுதிக்கொண்ட பெட்டிஷன்பேரில் இண்டார்சுசெய்து இத்துடன் அனுப்பியிருக்கிறது அந்த அவர்களிடத்தில் கொடுத்து றசிதுவாங்கி ரிபோர்ட்டு செய்யவும்.

பின்னும் ஷெ தேவஸ்தானத்தின் தென்கலையார் பட்சத்தில் ஆயிருக்கிற தீர்ப்புப்பிரகாரமும் முன் ஏற்பட்டிருக்கிற மாமூல்படிக்கும் உச்சவாதிகள் நடப்பிவைக்க வேண்டியதைக்குறித்து இதற்குமுன் அனுப்பப்பட்டிருக்கிற உத்தி

6th October 1835.

Translation.

No. 330.

To

SUBBA PILLAI, Head Peishkar of
Srirangam Davastanam.

The petition presented to Huzur by Srirangam Pagoda Stallathars and other Tengalais stating that on the day of Thirunatchatharam (anniversary) of Vadantachariar attached to Srirangam Covil, Vadagalai mark was put on that Swamy (Vadantachari) contrary to custom is returned herewith with an endorsement thereon. You are to return it to them on their receipt and report the same.

In conformity with the former orders issued in respect of the due conduct of the

ரவுகள் பிறகாரம் தென்கலே, வடகலே, இரண்டு கட்சியிலும் யாதொரு சச்சரவுகளும் நடவாமலிருக்கும்படி ஜாக்கிறதை செய்து திட்டப்படுத்தவும். அதற்கு ஏதாவது வித்தியாசங்கள் கடந்தால் அதற்கு நீர் ஜவாபு தாரராகஇருக்கவேண்டியிருக்கும் அதறியவும்.

1835ஹ அக்டோபர்மீ 6உ

கெடிசங்கதியில் வழக்கப்படி வடகலே திருமணை வைத்திருக்க தென்கலேயார் வீண்தொந்திரவு செய்ததாய் வடகலேயார் கொடுத்த பெட்டிஷன் பேரில் இண்டார்ஸ் செய்தனுப்பி யிருக்கிறேம் அதை வடகலேயாரிடத்தில் கொடுத்து றசீது வாங்கிக் கொள்ளவும், அறியவும்.

(Signed) H. M. BLAIR,
Magistrate.

festivals in accordance with the decree passed in favor of the Tengalais of the said Davastanam and in accordance with mamool, you are to make arrangements so that the Tengalais and Vadagalais may not commit riot. If anything wrong takes place you will be held liable for the same. You must know this.

6th October 1835. (Sigd.) H. M. BLAIR,
Magistrate.

No. 341.

19th October 1835.
Translation.

To

SUBBU PILLAI,
Head Peishkar of
Srirangam.

A petition is come from the Stallathars &c. of Srirangam Pagoda stating that some Vadagalais have planned to put Vadagalai mark on the idol which is in the Covil of Vadantachari and with it to bring the idol into Srirangam Covil on the occasion of Deepavaly feast and further to cause disturbance and hindrance at the Deepavaly feast.

From the order of the Sudr Court dated 17th June 1833. received in the matter of the petition presented by Vadagalais requesting the annulment of the Zillah Court decree and from the Zillah Court decree, it clearly appears that the Vadagalais have no right to perform their principal ceremonies within the Saptaprakaram of Srirangam or in any way to attempt to perform ceremonies like Tengalais.

You are therefore ordered that you should take necessary measures to prevent anything being done contrary to the decree passed in favour of Tengalais and at the Deepavaly feast to prevent any new thing being permitted to be done contrary to the mamool observed in the celebration of the festival upto last year.

If any assistance is required to carry out the same peaceably you are to apply to the Goondoosolay Police Ameen.

If any newthing contrary to mamool took place and if any disturbance happened, you will only be held responsible for it.

19th October 1835. (Signed) H. M. BLAIR,
Magistrate.

The documents next in order of time relating to Vadantachariar are the 12 documents printed at pages to of this book. Since these relat

both to Nadamuni Alwar and to Vadantachariar and since they have been already printed along with the other documents relating to Nadamuni Alwar, it is considered unnecessary to print them again here.

திருச்சிறாப்பள்ளி டிஸ்திரிக்ட்டு கோர்ட்டாரவர்கள் சமூகத்துக்கு,

வாதியவர்கள்,

ஸ்ரீமத் வேதமார்க்க பிறதிஷ்டாபநாசாரிய பரமஹம்ச பரிவிராசகாசாரிய சர்வத்திறகவதந்திற உபய வேதாந்தாச்சாரிய ஸ்ரீபகவத்ராமாநுஜ சித்தாந்தநிர்த்தாறண சார்வ பௌம ஸ்ரீஅகோபில மடம்ஸ்ரீவன்சடகோப ஸ்ரீசடகோபசுவாமியவர்கள்,

அந்தஸ்து மடாதிபதி.

பிரதிவாதிகள்,

1. ஸ்ரீ ரெங்கத்திலிருக்கும் பருசற சுதர்சன பட்டர்.
2. வேதவியாச வெங்கட பட்டர்.
3. வேதவியாச தாத்தப்பட்டர்.
4. வேதவியாச வெங்கட சுதாசனப்பட்டர்.
5. வாதூல தேசிக ரெங்காசாரியார்.
6. உத்தமநம்பி ரெங்கசாமி அய்யங்கார்.
7. கொடியாலம் ரெங்கசாமி அய்யங்கார்.
8. திருச்சிறாப்பள்ளி கோட்டை ஆண்டார்வீதியிலிருக்கும் தெ. பெரியசாமிமுதலியார்.

1 முதல் 6 வரையிலுள்ள பிரதிவாதிகளின் அந்தஸ்து, ஸ்தலத்தார்.

7ம் பிரதிவாதியின் அந்தஸ்து, மிறாசு.

8ம் பிரதிவாதியின் அந்தஸ்து, சௌக்கார்.

சிவில் கோடு 26, வது பிரிவுப்படி கொடுத்த பிராதர்ஜி

பிரார்த்தனை.

1. வேதாந்தாசாரியார் வடகலை நாமத்தோடு விருதுமுதலானதுகளுடன் ரெங்கனாத சுவாமி தெரிசனத்துக்கு யெழுந்தருளி அவ்விடத்தில் நடக்கிற மரியாதைகளை பெத்துக்கொள்ளுகிறதும் வீதிபுறப்பாட்டுக்கு யெழுந்தருளுகிறதுமான பாத்தியத்தை ஸ்தாபித்தும் அடியிலகண்ட விபரப்படி வேதாந்தாசாரியா ரவர்களுக்கும் வாதியவர்களுக்கும் சேரிட்டிருக்கிற மரியாதை நஷ்டம் ரூ 100- மானநஷ்டம் ரூ 2400-வரும்படிநஷ்டம் ரூ 29—12—6 ஆக ரூ 2529—12—6 இந்த வியாச்சியத்தின் செலவும் பிரதிவாதிகளால் கிடைக்கும்படி தீர்ப்புசெய்ய வேணுமாய் வாதியவர்கள் கோருகிறார்கள்.

பிராதின் சங்கதி.

2. வாதியவர்கள் அகோபில மடத்துக்கு ஆதீனகர்த்தரும் இந்தியாதேசத்தில் அநேக தேவஸ்தானங்களுக்கு ஆதீனகர்த்தரும் வடகலையார் யெல்லோருக்கும் சில தென்கலையாருக்கும் குருவாகவும் அனேக கர்நாடக ராஜாக்களாலே பூஜிக்கப்பட்டவருமாயும் மகாமகிமையுள்ளவருமாயும் யிருக்கிறார்கள்.

3. ஸ்ரீரெங்கத்தில் ரெங்கனாதசுவாமி தேவஸ்தானத்துக் குள்ளிருக்கிற வேதாந்த தேசிகர் சன்னதி ஷை மடத்தாதீனத்தை சேர்ந்தது ஷை வேதாந்த தேசிகர் பிரதிவருஷமும் சிலகாலங்களில் ரெங்கனாத சுவாமியினுடைய சேவார்த்தமாக ஷை ரெங்கனாதசுவாமி முன்பாக வடகலைநாமத்துடனும் விருதுகளுடனும் யெழுந்தருளுகிறதும் மேல்கண்டபடி வீதிபுறப்பாட்டுக்கு யெழுந்தருளுகிறதும மேல்க்கண்ட காலங்களில் ரெங்கநாதசுவாமியால் சிலமரியாதைகளையும் வரும்படிகளையும் பெத்துக்கொண்டு முன்போலவே தன்னுடைய ஸ்தானத்துக்கு யெழுந்தருளுகிறதும் புத்திக்கி யெட்டாத காலமுதல்க்கொண்டு வழக்கமாயிருக்கிறது ஷை வேதாந்த தேசிகர் சன்னதிக்கும ஷை ஸ்ரீரெங்கத்தில் மடம் வகையறுவைசேர்ந்த இன்னும் சிலகாரியங்களுக்கும் வாதியவர்களால் யேற்படுத்தப்பட்ட காரியஸ்தர் பரிசாரகன் மேற்படி ஸ்ரீரெங்கத்தில் 1873-74 இந்த வருஷங்களில் நடந்த அத்தியயனோத்ஸவத்தில் மாமூல்ப்படி மேற்படி வேதாந்த தேசிகர் வடகலைநாமத்துடனும் விருதுகளுடனும் மேற்படி ரெங்கநாதசுவாமி தெரிசனத்துக்கு யெழுந்தருளப்பண்ணினதில் யேதோவழக்கத்துக்கு விரோதமாய் மேற்படி வேதாந்த தேசிகரை புதுசாக வடகலைநாமத்துடன் யெழுந்தருளப் பண்ணினதுபோல் பெசகான காரணம் சொல்லி அவருக்குரெங்கநாதசுவாமி தரிசனமும் மாலை [illegible]ன மரியாதைகளும் பிரசாதம் முதலான வரும்படிகளும் கிடைக்கவொட்டாமல் 1-முதல் 6-வரை பிரதிவாதிகள் தடக்கல்செய்து போட்டார்கள்,

4. அதனால் அவர் மேற்படி ரெங்கனாதசுவாமி தெரிசனம் மரியாதைவரும்படி இவைகளில்லாமல் திரும்பி தன்னுடைய ஸ்தானத்துக்கு யெழுந்தருளிவிட்டார் அதுமுதல் நீண்டகால வழக்கத்துக்கு விரோதமாய் நடந்ததுவரையில் மேற்படி 1-முதல் 6-வரை பிரதிவாதிகளுடைய மேல்க்கண்ட செய்கையினால் வேதாந்த தேசிகர் மேற்படி ரெங்கனாதசுவாமி தெரிசனமும் வரும்படியும் மரியாதையும் இல்லாமலிருந்துவருகிறார்.

5. மேற்படி கண்டசங்கதிகளினால் மேற்படி சன்னதிக்கி ஆதீனக்கர்த்தர்களாயிருக்கிற மேற்படி வாதியவர்களுக்கு மானநஷ்டமும் மரியாதைவரும்படி நஷ்டமும் நேர்ந்திருக்கிறது மேற்படி வரும்படிகளை 7-8- பிரதிவாதிகளை கேட்டும் அவர்கள் கொடாமலிருக்கிறார்கள்.

6. ஆகையால் மேற்படி வேதாந்த தேசிகர் வழக்கப்படி வடகலைநாமத்தோடு விருது முதலானதுகளுடன் ரெங்கனாதசுவாமி தெரிசனத்துக் கெழுந்தருளி அவ்விடத்தில் அடியில்கண்ட விபரப்படி வாதியவர்களுக்கும் ஷை வேதாந்தாசாரியாரவர்களுக்கும் நேரிட்டிருக்கிற நஷ்டமும் வரும்படியும் இந்த வியாச்சியத்தின் சிலவு பிறதிவாதிகளால் கிடைக்கும்படி வாதியவர்கள் கோருகிறார்கள்.

வியாச்சிய மூலம்.

7. 1-முதல் 6-வரை பிறதிவாதிகள் தடைசெய்ததினமாகிய 1873-ளு டிசம்பர் மீ 20வ யிலுண்டாயிருக்கிறது.

வேதாந்தா சாரியாருக்கு மாமூல்ப்படி நடந்துவருகிற மரியாதைகளுக்கு விபரம்.

அத்தியேந உதஸ்வம் பகல் பத்து.

முதல் திருநாளில் ஸ்ரீரெங்கனாதசுவாமி அர்ஜுநமண்டபத்தில் யெழுந்தருளியான உடனேவேதாந்த தேசிகருக்கு அருளிப்பாடு சாதிக்கிறது.

ஸ்தானிகாள் பரிவட்டம் கட்டுகிறது.

ஊழியக்காரன் சாத்துப்படி யென்கிற சந்தனம் சாத்துகிறது.

3-முழநீளமுள்ள ஒருவடம் புஷ்பம் ஸ்தானிகன் சாத்துகிறது.

ரெங்கனாதசுவாமிக்கி நேவேத்தியமான திருப்பண்ணியாறம் தளிகை இதுகளை அர்ச்சகாள்வந்து நெய்வேத்தியம் பண்ணுகிறது. அதின்பின்பு ஒருதோசை ஒருவடை ஒருசெல்வரப்பம் இதுகள் கொடுக்கிறது.

ரெங்கனாதசுவாமிக்கி வெள்ளிச்சம்பா யென்கிறபிறசாதம் நெய்வேத்தியமானஉடன் அதையும் நெய்வேத்தியம் பண்ணுகிறது. உடனே வேதாந்தாசாரியார் யென்று அருளிப்பாடு சொல்லிபின் ஷை வெள்ளி சம்பாசாதம் கொடுக்கிறது.

அர்ச்சகாள் சடகோபம் சாதிக்கிறது.

இவ்விதமாகவே ஷை உதஸ்வம் 10-நாள்களிலும்நடத்துகிறது ரெங்கனாதசுவாமிக்கிஷை உதஸ்வம் பகல்பத்து பத்தாந்திருநாள் மோகினிவேஷத்து ருத்திரி கெருடமண்டபத்தில் அருளிப்பாடு சொல்லி அழைப்பிவித்து பெரிய பெருமாள் வஸ்திறத்தில் 3-முழநீளம் 2½-முழ அகலத்தில் ஒருபோர்வை குடுக்கிறது.

சடகோபம் சாதிக்கிறது.

அதேவிதமாக ஷை உதஸ்வம் ருபத்து பத்துநாள்களிலும் ஷாப்பத்து சாத்துமுறை தினத்திலும் கொட்டகையில் நடத்துகுறது.

வருஷாவருஷம் வருகிறதிபாவளி உதஸ்வத்திலும் சங்கிறாந்தி உதஸ்வத்திலும் நடக்கிற மரியாதைகள்.

ஷை வேதாந்தாசாரியாருக்கு மேல்க்கணடபடி பிறசாதம் நெய்வேத்தியம் செய்து ஒவ்வொருதினத்திலும் தோசை1, வடை1, போர்வை1, சந்தனம்படி¼, ஒருசதபுஷ்பம் இதுகள் கொடுத்து சடகோபம் சாதிக்கிறது.

வருஷாவருஷம் ஷை யாருக்கு பெறட்டாசிமீ திருவோணத்தில் நடக்கிற திருநக்ஷத்திற உதஸவத்தில் காலமே ரெங்கனாதஸ்வாமி சன்னதிக்கி வேதாந்தா சாரியார் யெழுந்தருளுகிறது.

ரெங்கனாதசுவாமிக்கி பொங்கல் பிறசாதம் நெய்வேத்திய மானவுடன் அந்தபிறசாதத்தை வேதாந்தாசாரியாருக்கு நெய்வேத்நயம் பண்ணுகிறது. உடனே ஒருகுல்லாயி ஒருபரிவட்டம் கால்படிசந்தனம் ஒருமாலை துப்பட்டியென்ற ஒருபோர்வை இத்துடன் குடுக்கிறது.

அர்ச்சகாள் சடகோபம் சாதிக்கிறது.

உடனே ஷை ரெங்கனாதசுவாமியினுடைய சகல பிருதுகளுடன் வீதி சுத்திவைது கோவிலுக்கு அனுப்பிவிடுகிறது. ஷை யார் ஸ்ரீரெங்கனாச்சியார் சன்னதிக்கி வந்ததும் கால்ப்படி சந்தனமும் ஒருமாலையும் கொடுத்து சடகோபம் சாதிக்கிறது.

ஷை திரு நக்ஷத்திறத்தின் தினத்தில் ரெங்கனாதசுவாமி சன்னதியிலிருந்து தளிகை 4-க்கு 8-மறக்கால் அரிசிக்குள்ள பிறசாதமும் தோசை 100-ம் சந்தனம்படி 5-ம் வெத்திலை கவுளி 1- பாக்கு இவைகளும் ஷை வேதாந்ததேசிகர் சன்னதிக்கி மேளதாளம் முதலானதுகளுடன் வருகிறது.

அத்தியேனுத்ஸவம் 20- நாள்களின் வரும் படி விபறம்.

	ரூ.	அ.	பை.
சந்தனம், புஷ்பம், தோசை, வடை, செல்வறப்பம், வெள்ளிச்சம்பா, இவ்வைகளின்கிறயம் அணா 4-வீதம் ஷை 20-நாளைக்கிம் வரும்படி...	5	0	0
பரிவட்டம் 1-க்கு	0	8	0
மூன்றுமுழ போர்வை இறண்டுக்கு	2	0	0
ஆ	7	8	0

	ரூ.	அ.	பை.
தீபாவளி சங்கிறுந்தி இதை இறண்டு தினங்களின் நாளின் வரும்படி, தோசை, வடை, சந்தனம், புஷ்பம், இவைகளின் கிரயம் நாள் 1-க்கு அணா 2-வீதம்	0	4	0
போர்வை இறண்டுக்கு	2	0	0
ஆ	2	4	0

	ரூ.	அ.	பை.
திருநக்ஷத்திற உதஸ்வ வரும்படி ரெங்கனாதசுவாமி கோவில் நாச்சியார்கோவில் இதுகளில்கிடைக்கிற சந்தனம்பெரியபடி-,உ	0	1	0
மாலை 2-க்கு	0	8	0
தளிகை பிறசாதம் 4-க்கு கிறையம்	6	0	0
சந்தனம், வெத்திலை, பாக்கு, இதுகளின் கிறையம்	0	6	6
நெய் சேர் 10-க்கு	0	8	0
விளக்கெண்ணை படி 1-க்கு	0	6	0
ஆ	12	8	6

	ரூ.	அ.	பை.
ஆகஎனம் 3-க்கு வருஷம் 1-க்கு வரும்படி	23	4	6

பிரதிவாதிகளால் கிடைக்கவேண்டியது.

ஸ்ரீமுகவருஷத்தில் கெடைக்கவேண்டிய பாக்கிவருமானம்.

	ரூ.	அ.	பை.
அத்தியேன உத்ஸ்வத்தின் வரும்படி மேல்க்கண்டவீதமாக	7	8	0
சங்கறுந்தி உத்ஸவ ஒருதினத்துக்கு வரும்படி	1	2	0
காளதுபவ ஹஸ்த்திய பெறட்டாசியீ திருவோணத்தில் நடக்கவேண்டிய திருநக்ஷத்திற உத்ஸவ வரும்படி	12	8	6
தீபாவளி வரும்படி	1	2	0
அத்தியே னுதஸ்வத்தின் வரும்படி...	7	8	0
மரியாதைகளின் வரும்படி ஆ	29	12	6

வாதியவர்களுக்கு நேரிட்ட மானநஷ்டம் … … … …	2400	0	0
மரியாதை நஷ்டம்… … … … … … …	100	0	0
பிராதின் மொத்தம் ரூ	2529	12	6

(ஒப்பம்) கெ. சிங்கமய்யங்கார் பிளிடர் என்று இங்கிலீஷில் சையின்

வாதியவர்களுக்காக ஸ்ரீரெங்கமுதலான யெடங்களில் அவர்களுடைய காரியங்களைப்பார்த்துவருகிற கோபாலய்யங்காராகிய நான் ஷை வாதியவர்களுக்காக இந்த பாரத்தில் கண்ட சங்கதிகள் முழுவதும் நிஜமென்று உருதியாய்ச் சொல்லுகிறேன்.

1875 ஹூ பிப்பறவரி மீ 17-உ

(ஒப்பம்) கோபாலய்யங்கார்.

26th January 1876.

IN THE DISTRICT COURT OF COIMBATORE.

Wednesday the twenty sixth day of January. One thousand eight hundred and seventy six.

PRESENT.

FRANCIS MARTIN KINDERSLEY Esquire

Original suit No. 14 of 1875.

Sriman Sadagopa Sri Sadagopaswami Avergal (Plaintiff.)

Parasara Sudarsana Butter and 7 others (Defendants.)

This siut coming on for settlement of Issues, the Court delivered the following—

Judgment:—The Plaintiff in this case is Gurukal or High Priest of the Akobalum Mutt and many other Devastanams and is the Guru or Priest of all the Vadagalai sect and of some Tengalai sect and he sues in that capacity.

2. Within the Ranganadhaswami Devastanam at Srirangam, there is a temple of Vedanta Desikar and the Plaintiff alleges that from time immemorial it has been the custom on certain feasts to take the idol of Vedanta Desikar wearing the Vadagalai Namam or Mark and accompanied by insignia to the Ranganadhaswami, there to perform certain worship and ceremonies and to receive certain offerings and then to go in procession through the streets and states that in December 1873 at the Adyana Festival the idol was taken as usual but 1 to 6 Defendants prevented the performance of the worship and the observance of the usual ceremonies and the making by 7 and 8 Defendants of the usual offerings, by falsely alleging that the Vadagalai Namam was an innovation.

3. And the Plaintiff prays for a decree establishing the right of Vedanta Desikar to go wearing Vadagalai Namam and accompanied by Vadagalai insignia before the Ranganadhaswami there to perform worship and receive offerings as set out in the plaint and he further prays for an award of Rupees 2529-12-6, Rs. 100 for damages incurred owing to the non-observance of the usual honors and Rs. 2400 damages for loss of reputation suffered by Plaintiff and Vedanta Desikar, and Rs. 29-12-6 for the value of offerings withheld.

4. The 7th and the 8th Defendants admit the Plaintiff's claim and plead that they had not hindered the due observance of ceremonies.

5. The Ist to 6th Defendants plead that the suit is not cognizable being purely of a religious nature, that the damages claimed are not recoverable being claimed of no legal right but in matters of mere devotional respect and further being barred by

lapse of time and they deny that the temple of Vedanta Desikar has ever been subject to the Akobala Mutt, that it was ever usual for the idol of Vedanta Desikar to wear the Vadagalai Namam or to be carried in procession with that mark and accompanied by Vadagalai insignia, and that any damage whatever has been sustained by either Plaintiff or Vedanta Desikar.

6. On these pleadings a question arises which may be disposed of before any evidence is taken and this is whether the suit is cognizable by this Court.

7. And I think there can be no doubt that at least the greater part of the plaint relates to matters with which this Court has no power of interference. This Court certainly cannot declare as Plaintiff wishes it to do that the particular ceremonial observances set out in the plaint or the honors usually paid to the Vedanta Desikar should be observed; such matters are most certainly purely religious ritual and ceremony and cannot be enforced by a Civil Court such as this Court is constituted. And the fact that in addition to the honors certain offerings are claimed and to those offerings a money value is given will not alter the case.

8. Those offerings as plainly appears from the plaint are not in any way offerings which are the offering of any legal right but are mere voluntary religious offerings made from a religious sentiment and as an expression of religious feeling. There is no legal obligation on the part of the Renganadhaswami to make these offerings to Vadanta Desikar. Either these offerings are voluntary or they are part of the religious ritual and in either case the Civil Courts have no jurisdiction: there is no legal relation between the parties giving the plaintiff the right to enforce the giving of these offerings or presents.

9. And it seems to me impossible to say that the Plaintiff has sustained any loss of reputation owing to the withholding of these offerings from the Idol of Vedanta Desikar; the loss of reputation is rather to the Idol and I have not yet heard of an Idol receiving damages on such grounds while as to Plaintiff the damages must be said to be too remote. The Defendants cannot on the facts alleged be said to have done anything against the Plaintiff's personal dignity or reputation.

10. The only point on which the siut could, I think, be deemed cognizable by the Courts is as to whether there is a civil right to go in procession as set out in the plaint. The right to a procession, it must be noticed, is not denied but what is denied is the right to take an idol with certain marks and certain insignia to a certain Pagoda, there to have certain religious ceremonies performed in a certain way. The Plaintiff represents the Vadagalai sect, the Defendants 1 to 6 the Tengalai sect, and the dispute is as to what mark should be put on the idol, what insignia should be carried and how worship should be performed and this certainly seems a purely religious matter.

11. In S. A. 94 of 1861 (reported at page 152 of the Sadr reports for 1861) one of the points in issue was whether the images might be taken out in procession and this point as well as all the other points were declared by the Sadr Judges to be one not cognizable by the Court and this decision was concurred in by Scotland C. J. in R. A. 12 of 1862 (1 M. H. C. R. 301) being a suit brought by this very plaintiff for loss of honors and offerings almost exactly similar to those now claimed and this last case shows what I have already remarked that the mere affixing of a money value to so-called emoluments will not give a right to sue which does not otherwise exist.

12. I think that looking at both these Judgments it must be held that the present suit is not sustainable. The Plaintiff of course, relies on two cases S. A. 619 of 1868. (IV. H. C. R. 49) &c S. A. 460 of 1871 (VI. H. C. R. 449), but they are both I think easily distinguishable from the present suit and they both are careful not to interfere with the decisions in S. A. 94 of 1861 and R. A. 12 of 1862.

13. In S. A. 619 of 1868 the decision went entirely on the fact that the right claimed was one appertaining to an office in a Temple and that the office confirmed certain emoluments which were lost by the invasion of Plaintiff's right and in S. A. 460 of 1871 the decision went on the ground that what was claimed was claimed as remuneration for service performed. Neither of these cases is applicable to the present suit in which the claim relates to a matter of ritual, how one Idol is to be brought before another and in which the offerings claimed are claimed not as appertaining to any office but as usually made to an Idol as part of the religious ritual sought to be established.

14. It may be asked whether there is then no remedy for Plaintiff supposing his case to be true, and the answer must be as in S. A. 94 of 1861, that no ecclesiastical Courts having been established in this country there is no remedy through the Civil Courts.

15. I therefore dismiss the suit and with costs.

List of Exhibits filed in the suit.

Plaintiff's Exhibits.

A. Extract from the Proceedings of the Court of Circuit for the Southern Division dated 2nd April 1832.

B. Copy of an extract from the Diary of the Acting Magistrate of Trichinopoly dated 4th April 1832.

C. Copy of the Istyar of the Magistrate of Trichinopoly dated 4th April 1832.

D. Copy of Magistrate's Return to precept of the Circuit Judge dated 4th April 1832.

E. Copy of Extracts from the Proceedings of the Provincial Court for the Southern Division dated 20th December 1833.

F. Copy of Endorsement to certain Aiyangars of Srirangam by the Collector of Trichinopoly under date 25th March 1835.

G. Copy of Extract from the Proceedings of the Court of Circuit for the Southern Division dated 15th April 1834.

H. Copy of Trichinopoly Magistrate's Order dated 25th July 1840.

I. Copy of an extract from Trichinopoly Magistrate's Diary dated 4th September 1840.

J. Copy of an extract from the Proceedings of Fouzdari Adalat dated 18th January 184[illegible]

K. Copy of an extract from the Proceedings of the Southern Provincial Court dated the 13th April 1842.

L. Copy of an extract from the Proceedings of the Fouzdari Adalat dated 22nd August 1842.

M. Copy of an extract from the Proceedings of the Fouzdari Adalat dated July 1843.

N. Copy of an extract from the Proceedings of the Zillah Court of Trichinopoly dated 2[illegible]th November 1843.

O. Copy of an extract from the Proceedings of the Fouzdari Adalat dated 6th April 1846.

P. Copy of an extract from the Proceedings of the Fouzdari Adalat dated 8th June 1846.

Q. Copy of Trichinopoly Collector's order to the Tahsildar of Lalgudi dated 21st June 1849.

R. Copy of order of Trichinopoly Magistrate to the Police Amin of Lalgudi dated 29th January 1850.

S. Istyar of the Head Assistant Magistrate of Trichinopoly dated 8th July 1858.

T. Copy of an extract from the Proceedings of the Fouzdari Adalat dated 2nd December 1858.

U. Copy of an order of the Head Assistant Magistrate to the Second Class Sub-Magistrate of Trichinopoly dated 8th April 1864.

V. Copy of a Muchilika given by one Veda Vyasa Butter to the Magistrate of Trichinopoly on 24th January 1850.

W. Copy of a deposition given by one Kasturi Rangan before the Devastanam Peishkar of Srirangam on 2nd October 1835.

X. Copy of an Arzee of the Devastanam Head Peishkar of Srirangam to the Collector of Trichinopoly dated the 3rd October 1835.

Y. Copy of the Proceedings of the Sessions Court of Trichinopoly 10th January 1850.

Z. Copy of Decree in Appeal suit No. 41 of 1853 on the file of the Trichinopoly Civil Court dated the 16th November 1854.

AA. Copy of an extract from the Proceedings of the Trichinopoly Civil Court dated the 6th November 1850.

BB. Copy of an extract from the Proceedings of the Sadr Adalat dated the 13th March 1831.

CC. Copy of a letter from the Head Assistant Magistrate to the Magistrate of Trichinopoly dated 13th July 1858.

DD. Copy of deposition given by Sasha aiyangar on 2nd October 1835 before the Head Peishkar of Srirangam.

EE. Agreement executed to the Plaintiff's ancestor by Ramiengar and Sashagiri aiyangar on 21st January 1871.

FF. List of properties as found on Examination on the 1st November 1872.

GG. Receipt given by Ramasami aiyangar and two others to the Plaintiff's ancestor on 4th November 1872.

HH. Agreement executed to Plaintiff's ancestor by Sriranga Char and three others on the 30th December 1839.

II. Agreement executed to the same by Sriranga Charlu Ullitar on the 10th Panguni Hervilambi (2nd March 1838).

JJ. Agreement to the same by Sashagiri aiyangar and Sriranga Charlu on the 5th Arpasi of Virodhi (8th November 1829).

KK. Agreement to the same by one Krishniengar on the 15th April 1857.

Defendants' Exhibits.

I. Copy of Arzee addressed by Valu Mudali Devastanam Muchastidom to the Collector of Trichinopoly dated 15th August 1803.

II. Copy of Judgment passed by the Zillah Court of Trichinopoly in suit No. 130 dated 28th April 1808.

III. Sunnud granted by the Collector to Subba Pillai, Head Peishkar, Srirangam, dated 6th October 1835.

IV.	Do.	Do.	dated 19th October 1835.
V.	Do.	Do.	dated 21st November 1835.
VI.	Do.	Do.	granted to Thirumal Rao Deputy Peishkar of Srirangam dated 16th October 1829.

VII. Judgment in suit No. 82 of 1825 on the file of the Zillah Court of Kumbakonam dated 29th July 1826.

VIII. Copy of Proceedings of Sadr Adalat dated 17th June 1833.

IX. Copy of Proceedings of the Provincial Court dated 14th December 183

(Signed) F. M. KINDERSLEY,

Ag. District Judge.

In the High Court of Judicature at Madras.

Monday the thirty-first day of July, One thousand eight hundred and seventy six.

PRESENT.

THE HONORABLE, SIR WALTER MORGAN, KNIGHT,
Chief Justice.

THE HONORABLE, MR. JUSTICE HOLLOWAY.

Regular Appeal No. 6 of 1876.

Kodiyalam Rungasami Iyengar	Appellant.	(Plaintiff).
Sudarsana Bhatter	Respondent.	(Defendant).

Regular Appeal against so much of the order of the District Court of Trichinopoly, dated 25th September 1875, as relates to the establishment of Plaintiff's right.

Regular Appeal No. 19 *of* 1876.

Sreemen Sadagopa Sree. Sadagopasawmy Avergal Madathipathy	Appellant.	(Plaintiff.)
Parasara Sudarsana Bhatter and seven others	Respondents.	(Defendants.)

Regular Appeal No. 21 *of* 1876.

Regunathiengar and five others	Appellants.	(1st to 6th Plaintiffs)
Parasara Sudarsana Bhatter and four others	Respondents.	(Defendants.)

Regular Appeals against the decrees of the District Court of Coimbatore, in Original Suit Nos. 14 *and* 18 *of* 1875 *respectively.*

These Regular Appeals coming on for hearing the Court delivered the following:—

JUDGMENT. *In Regular Appeals Nos.* 19 *and* 21 *of* 1876.

The Chief Justice.—I find some difficulty in ascertaining precisely what is the matter in controversy in these suits. In each case it is represented that one idol was prevented or hindered in giving adoration to another, and that the customary honors and offerings were withheld. No infringement or obstruction of any right of passage or of way or access is alleged. It is a question merely of the due performance of rites and ceremonies at a Hindu religious festival and not one touching civil rights. I think the Court properly decided that the suits, which in this view were not of a civil nature were not cognizable.

In Regular Appeal No. 6. *of* 1876.

The Magistrate's decision was not open to revision in a Civil Suit and the plaint disclosing no cause of action, was rightly rejected.

Mr. Justice Holloway.—The question in all these cases is as to the right of one sect of Vaishnava Brahmins to carry the idol on certain days with their distinctive mark upon it. It is a piece of religious symbolism very ridiculous as in so many other cases in other countries to non-believers but of so much consequence in the view of the persons concerned that on several occasions serious breaches of the peace have been held to be the probable consequence of the attempt to practise it and heavy fines have been inflicted to repress that attempt.

These cases as emphatically as any which have appeared raise [mere questions of ritual and there are two distinct decisions of this Court now acquiesced in for a considerable period that the Courts are not possessed of Jurisdiction to decide such cases.

If I had been present at the hearing of those cases, I should not have been able to assent to the reasoning upon which they proceeded. The decisions themselves seem to me opposed to the previous current of legal decision and to cases which have been carried to the Court of last resort. That by the use of the word "Civil" in the Procedure Code (as the Judgment of the Sadr Court decides) the Jurisdiction has been taken away I should not have been able to agree. That "Civil" is not used as an antithesis to "ecclesiastical" seems to me clear. A Civil nature means such rights as are vested in the citizen and fall within the domain of private and not of public law. If one of the rights of private action of the citizen was to have a question of this nature determined before the enactment of the Code, he has the same right still.

That money ———————— must be on ———————— in such right of action the code itself expressly denies.

Sitting in this Court, I do not however feel justified in seeking to overrule those cases and I therefore assent to the dismissal of the appeals. I can quite see the convenience of escaping from the determination of such cases. It would not, however, be difficult to put considerations perhaps more important than convenience on the other side.

(True Copy)

(Signed) JOHN SHAW,
Acting Registrar,
Appellate side.

(True Copy)

குறி (——) இந்த அடையாளமிட்ட இடத்தில் அசலில் கிழிபட்டு எழுத்துக்கள் மறைந்திருக்கிறது.

(Signed) W. MORGAN,
Deputy Registrar,
Appellate Side.

8D

6th December 1876. Coimbatore, District Court
Original Suit No. 4 of 1877.

To the District Court of Trichinopoly.

Plaintiff.	*versus*	*Defendants.*
Sreeman Sadagopa Sree Sadagopa Sawmy Avergal Akobila Matathipathy.		1. Parasara Sutharsana Bhutter. 2. Vatha Vyasa Vencata Bhutter. 3. VoothamaNamby Rengasami Iyengar. 4. Vathoola Desika Rengachariar

Plaint presented under Section 26 of the Code of Civil Procedure.

Relief sought for is

I. That a decree may be passed establishing the plaintiff's right to carry the idol of Vethantha Thesikar daily in procession during the first ten days of the annual Atheyayenothsava festival of Sree Runganathaswamy in the temple of Sreerengam, from a certain place marked A in the accompanying plan, along the way marked B and to place it under the roof of the hundred-pillars muntapam at the spot marked C for about ten Indian hours and then to re-convey the said idol in procession to the said spot from which it started.

II. That the plaintiff may further be declared entitled to carry the idol of the said Vethantha Thesikar daily in procession during the latter ten days of the said festival along the way marked B and D and to place it under the roof of "thousand-pillars muntapam" at the spot marked E for about 40 Indian hours on the first of the said ten days and for about 15 Indian hours on the other days and to re-convey the said idol in procession to the said spot from which it started.

III. That an injunction may be issued to the defendants both personally and as the representatives of the Thengalay section of the Vishnava community from in any manner obstructing or interfering with the exercise by the plaintiff of the aforesaid rights.

IV. That the defendants may be decreed to pay Rs 40 to plaintiff as damages for the infraction of the said rights, as well as the costs of this suit.

V. That the plaintiff may have such further or other relief as to this Honorable Court may seem meet and proper under the circumstances of the case.

Subject of the Plaintiff's claim.

The plaintiff is the head of the Ahobila Matam and as such the Atheenam Dhurmakarta of Vethantha Thesikar situated within the temple of Sree Runganathaswamy at Sreerengam. He is also the high priest and, as such, the representative of the Vadagalay section of the Brahmin community, the founder of which section was the said Vethantha Thesikar who is represented by the said idol. From time immemorial the plaintiff and his predecessors, as the Atheenum Dhurmakarta of the said shrine and the representative of the Vadagalay Brahmins, have been enjoy-

ing the right of carrying and having the said idol carried in procession along the passages referred to in paras 1 and 2 of the relief sought for, during the twenty days mentioned therein as well as on three other days during the year along routes somewhat different from those mentioned above. The said idol has from time

immemorial borne on its forehead an embossed mark as shown in the margin corresponding to the mark usually worn by Vadagalay Brahmins on their foreheads. It is also provided with an ornament set with diamonds and rubies, being in shape exactly similar to the above mark and has been worn by the said idol, from time immemorial, on its forehead over the above embossed mark while being carried and taken out in procession as aforesaid. According to this immemorial usage, custom and right, the plaintiff's agent and servants in charge of the idol carried the said idol in procession with the said ornamental mark on its forehead on the 20th of December 1873, being the first day of the first ten days of the festival above referred to along the course mentioned in para I of the relief sought for up to the point marked F in the plan. When the procession had arrived at that point, the defendants who are the leaders of the Thengalay section of the Brahmin community at Sreerengam together with their servants and followers stopped the procession and obstructed plaintiff's agent and servants in carrying the said idol further on in procession. The plaintiff's men were thus compelled to take back the said idol without proceeding to the hundred pillars muntapam and placing the idol at the spot marked C. in the plan. Next on 6th of January 1874, being the 8th of the latter ten days of the festival aforesaid, the said idol was similarly carried in procession by the plaintiff's agent and servants along the route marked B and D in the plan and they were again obstructed by the defendants and their men as aforesaid.

Cause of action is

The obstruction by the defendants of the plaintiff's exercise of the said right to carry the said idol in procession and to perform the festival of the said idol; and it arose on the 20th December 1873 and 6th of January 1874 and has been recurring every year on the occasions aforesaid

(Signed) K. SINGAM IYENGAR,
Pleader.

(Here enter verification)

6th December 1876. (Signed) Plaintiff's Agent, GOPALA IYENGAR.

29th January 1877.

In the District Court of Trichinopoly.

Original Suit No. 13 *of* 1876.

Written statement of defendants 1 and 2.

1. The suit is barred by Section 2 of Act VIII of 1859 (Civil Procedure Code), the subject matter of the same having been already adjudicated upon in Original Suit No. 14 of 1875 on the file of the District Court of Coimbatore, of which suit the plaintiff makes no mention.

2. The suit is not cognizable by Civil Courts as it relates to a purely religious matter and does not touch any civil rights (Vide Sadr Reports for 1861, page 152, and Madras High Court Reports, Vol I, page 301.)

3. The defendants deny that plaintiff is the Adhinam Durmakurta of Vadanta Chariar's chapel in the plaint mentioned, but beg to state that they are themselves such Durmakurthas, the said chapel being part and parcel of and subject to Sree Runganathaswamy's Devasthanum. The duties attached to the chapel and the processions of its idol are subject to the orders and supervision of the Durmakurtas of the said Devasthanum.

4. The defendants deny that the idol of Vadanthachariar in the plaint mentioned has ever borne or ever been carried in procession as a custom with a Vadagalai mark on its forehead embossed or otherwise or that the plaintiff or any body else has ever had or exercised any right so to carry it; and they further deny that the idol has been provided with any ornament as in the plaint alleged.

5. The defendants deny that plaintiff has suffered any damage as in the plaint alleged, and stating that the plaint gives no particulars of damages claimed, submit that such damages must be too remote and the claim for the same is barred by the Statute of Limitations.

6. The defendants therefore pray that the suit may be dismissed with costs.

29th January 1877. KRISTNASAWMY CHETTY.

Vakil.

Here enter verification.

(Signed) In Tamil.

In the District Court of Coimbatore.

Friday, the twenty-seventh day of July,

One thousand eight hundred and seventy-seven.

PRESENT:—FRANCIS MARTIN KINDERSLEY, ESQUIRE.

Original Suit No. 4 of 1877.

Plaintiff. — *versus* — *Defendants.*

Sreeman Sadagopa Sree Sadagopa Swami Avergal Akobila Matathipathy

1. Parasara Sutharsana Bhutter.
2. Vatha Vyasa Vencata Bhutter.
3. Voothama Namby Rungasami Iyengar.
4. Vathopla Desika Rungachariar.

Particulars of the claim.

The Plaintiff, as head of the Aghobila Matam, and as such the Atheenum Dharmakartar of Vethantha Thesikar within the temple of Sree Runganathaswami at Sreerungam and as the high priest and representative of the Vadagalai sect, states that from time immemorial the plaintiff and his predecessors have enjoyed

and exercised the right of carrying the idol of Vedantha Thesikar, bearing an embossed Vadagalai mark on its forehead and also wearing a jewelled ornament representing the same mark, daily in procession during the first 10 days of the Atheyayenothswam of Sri Runganathaswami along a certain route marked B. in the plan filed by plaintiff; to place it for about 10 Indian hours each day in the hundred pillar mantapam (marked C) and then to re-convey in procession to the spot (marked A) from which it had started; also to carry the idol in procession as aforesaid during the last 10 days of the festival along the route marked B and D in the plan; to place it daily in the thousand pillar mantapam (marked E) for 40 Indian hours on the first day and for 15 Indian hours on the remaining days and then to reconvey in procession. The plaintiff then states that on 20th December 1873 the defendants, the leaders of the Tengalai sect, stopped the procession, and again on 6th January 1874; and the plaintiff now sues to establish his right to carry the idol in procession as above set out; to restrain the defendants both personally and as the representatives of the Tengalai sect from interfering with plaintiff's exercise of the above rights and to recover Rs 40 as damages for defendants' having prevented plaintiff exercising those rights.

DECREE.

This suit coming on for hearing: Upon perusing the records of the suit, and upon hearing the arguments of Mr. Miller B. L, Counsel for plaintiff and Sreerungachar, vakil for the defendants: The Court doth order and decree that this suit be and the same is hereby dismissed with costs

(Here enter costs).

(Signed) F. M. KINDERSLEY,
District Judge.

In the District Court of Coimbatore.

Friday the twenty-seventh day of July,

One thousand eight hundred and seventy seven.

PRESENT:—FRANCIS MARTIN KINDERSLEY ESQUIRE.

Original Suit No. 4 of 1877.

Plaintiff.	*versus*	*Defendants.*
Sreeman Sadagopa Sree Sadagopa Swami Avergal Akobila Matathipathy.		Parasara Sutharasana Bhutter and 3 others.

This suit coming on for hearing, the Court delivered the following.—

JUDGMENT.

1. The plaintiff as the head of the Aghobila Mattam and as such the Atheenam Dharmakarta of Vedantha Thesikar within the temple of Sree Runganatha Swami at Srirangam, and as the high priest and representative of the Vadagalai sect, states that from time immemorial the plaintiff and his predecessors have enjoyed and exercised the right of carrying the idol of Vedantha Thesikar, bearing an embossed Vadagalai mark on its forehead, and also wearing a jewelled ornament representing the same mark, daily in procession during the first 10 days of the Atheyaynoth-

savam of Sri Runganadaswami along a certain route marked B in the plan filed by plaintiff; to place it for about 10 Indian hours each day in the hundred pillar mantapam (marked C) and then to re-convey in procession to the spot (marked A) from which it had started; also to carry the idol in procession as aforesaid during the last 10 days of the festival along the route marked *B* and *D* in the plan; to place it daily in the thousand pillar mantapam (marked *E*) for 40 Indian hours on the first day and for 15 Indian hours on the remaining days and then to re-convey in procession. The plaintiff then states that on 20th December 1873, the defendants, the leaders of the Tengalai sect, stopped the procession, and again on 6th January 1874; and the plaintiff now sues to establish his right to carry the idol in procession as above set out, to restrain the defendants both personally and as the representatives of the Tengalai sect from interfering with plaintiff's exercise of the above rights and to recover Rupees 40 as damages for defendants' having prevented plaintiff exercising those rights.

2. The defendants plead that the suit is barred by section 2, Act VIII. of 1859, the same matter having been already determined by this Court in suit No. 14 of 1875, confirmed by the High Court in Appeal Suit 19 of 1876, also that the suit is in its nature not cognizable by the Civil Courts and that this Court has therefore no jurisdiction. Further they deny that plaintiff is the Atheenam Dharmakartar of Vedantha Thesikar and declare that defendants are themselves the Dharmakartars of that as of the other portions of the Sri Runganathaswami Devastanum. They also deny that the idol has ever been carried in procession wearing a Vadagalai mark either embossed or as an ornament, or that there is any right in plaintiff or in any one else so to carry it. They deny that plaintiff has suffered any damage and plead that the damage alleged is too remote and is also barred by the Limitation Act.

3. This suit was instituted in the District Court of Trichinopoly, and the following are the issues in the suit as settled by the Judge of that Court.

1st.—Whether the suit is barred by the judgment in the High Court in Regular Appeal 19 of 1876.

2nd.—Whether this suit is cognizable by this Court.

3rd.—Whether plaintiff is the Atheenam Dharmakarta of the temple and as such has the right of carrying the idol Vedanthachari in procession to the places specified in paras 1 and 2 of the plaint.

4th.—Whether plaintiff is entitled to any and what damages.

4. The suit was then transferred for disposal to this Court, and it seeming to me that it would be well to hear the preliminary legal objections raised by the defendants, the suit was called on for that purpose, and after hearing the arguments on either side, I am satisfied that this suit should be dismissed under the two first issues.

5. The parties to this suit and to the suit 14 of 1875 are the same, and the cause of action alleged in that suit was the very same obstruction of procession as is now put forward; and the plaintiff then sought to establish his right to carry the idol of Vedantha Thesikar in procession before the other idol Sri Runganathaswami, there to receive certain honors and to recover damages. That suit was dismissed as not being cognizable by the Civil Courts, and I am satisfied that the present is equally beyond the jurisdiction of this Court.

6. Nobody can I think read the two plaints, the plaint in this suit and the plaint in the Suit 14 of 1875, without seeing that they are substantially and really the same: the plaintiff by leaving out certain words seeks to get his present plaint admitted and adjudicated upon.

7. As already remarked it is admitted that the acts committed by defendants, which have given rise to this suit, are the same acts as gave rise to the former suit 14 of 1875, viz., the obstructing of the procession by the defendants during the Atheyayenothsavam feast, which took place in December 1873 and January 1874. So far the two suits are identical.

8. The difference between the two plaints is, that in the former suit the plaintiff asked for a decree to establish the right of Vadantha Thesikar to receive certain offerings and honors when taken before Sri Runganathaswami, and in this suit the plaintiff makes no claim to these offerings and honors, but only claims to keep the idol Vadantha Thesikar for a certain time in certain places. These places are marked in the plan and show that the idol, if taken to these places, will still be taken before Sri Runganathaswami; and in the plan itself the places are described as those where honors are to be paid to Vedantha Thesikar; so that the plaintiff clearly is still seeking for what he pretends he has abandoned.

9. Then in the former suit plaintiff sought for a decree establishing his right to carry Vedantha Thesikar in procession with certain Vadagalai marks and insignia. In the present plaint, in the actual prayer of the plaint, he asks merely for a decree to establish his right to carry Vedantha Thesikar in procession, and makes no mention of the marks or insignia. But in the other portion of this plaint the plaintiff still insists on the right of the idol to have an embossed Vadagalai mark and to wear a jewelled ornament representing the same mark; and his counsel admits that plaintiff seeks to carry the idol with those marks The whole dispute has throughout been whether the idol Vedantha Thesikar could be carried in procession with those marks, and on the plaint itself it is evident that if a decree is passed for the plaintiff to carry the idol in procession, the idol will be carried with those marks; indeed on the plaint it could not be otherwise, for plaintiff declares one mark is embossed on the idol itself. In the former suit it was clearly held, Holloway J. was very clear on the point, that the alleged right to carry an idol on certain days with distinctive marks upon it is a mere question of ritual and I do not think that the plaintiff can by dropping some words out of the prayer of the plaint give this Court jurisdiction over what is clearly, reading his whole plaint, a mere question of ritual; or can in this way render inoperative the former judgment. No one can I think read the two plaints without seeing that the two suits are identical and that plaintiff is only now seeking in an underhand way to get what he failed in obtaining when he stated his case fairly.

10. I think too that it cannot be said that plaintiff is merely seeking his personal civil rights. He is not, as was suggested, merely seeking to enter a temple for purposes of worship. He seeks a great deal more than this: he seeks to carry out a procession of an idol within the temple.

11. Nobody can, I think, deny that this procession is a purely religious ceremony. The idol is kept in one part of the temple and the taking it in procession to other places within the temple and there keeping it for certain lengths of time before another idol can be nothing but matters of ritual. Of course it is said for

plaintiff that he does not in his plaint seek for a decree establishing his right to bring Vedantha Thesikar before Sri Runganathaswami; but a glance at the plan of the temple field by plaintiff, shows most clearly that the places, where he seeks to be declared entitled to place the idol Vedantha Thesikar, are places where the idol could only be placed for the express purpose of bringing the idol before Sri Runganathaswami. The whole theory too of the procession is beyond question that the one God is to visit the other; and the plan itself shows this very clearly. The plaint in Original Suit 14 of 1875 clearly shows the nature of the procession, and it is to be remembered that it is the very same procession which plaintiff now seeks to establish. The plaintiff, it is true, now omits in his plaint all mention of garlands and offerings to be made by one idol to the other, but the plan shows most clearly, what indeed can hardly, I fancy, be denied by any one, that the sole object of the procession is that Vedantha Thesikar should receive honors from the other idol and that the very places where plaintiff now wishes the Court to declare Vedantha Thesikar may be placed for certain fixed periods, are the places where honors are to be paid to Vedantha Thesikar and other Alwars by Sri Runganathaswami.

12. The present plaint is no doubt ingeniously framed, but I do not think that it takes the case out of the former decisions as to the jurssdiction of Civil Courts in these matters: but that this case is as much a matter of purely religious ritual as the former case was.

13. The plaintiff's counsel referred to a case decided on the Original Side of the High Court: the case of M. Kasavaroy Naik and others *versus* M. Chengelroy Mudali and others. There is no official report of this case but a report at page 34 Vol. I of the Madras Law Journal has been shown to me. But that case can, I think, be easily distinguished from the present; quite as easily as that case was, by the Judges who tried it, distinguished from Special Appeal 94 of 1861 andfrom Regular Appeal 12 of 1862 on which cases the judgment in Suit 14 of 1875 in this Court was to a great extent based. Those two cases Special Appeal 94 of 1861 and Regular Appeal 12 of 1862 seem to me much more applicable to this present suit than the case relied upon by the plaintiff's counsel. For in the case relied upon, the question at issue was really whether the plaintiff, a private person, had the right to enter a pagoda for purpose of worship; whereas in this suit the question is whether plaintiff as Dharmakartah and high priest of a particular sect, has the right to enter a pagoda and there carry on certain religious processions and ceremonies, a very different matter.

14. And on this point I may briefly notice a judgment of the Zillah Court of Trichinopoly in Suit 130 of 1808. That was also a suit between the Tengalais as plaintiffs and the Vadagalais as defendants, and in that suit it was found and decreed that the Tengalais are superior to the Vadagalais of the Sri Runganathaswami temple, and that the Tengalais should be the dictators in all the ceremonies to be performed to the swamies within that temple. Vedantha Thesikar is admittedly one of the swamies within the Sri Runganathaswami temple and in the face of this judgment it would be difficult to say that plaintiff has the right to dictate how the procession should be carried on.

15. But that would more properly come within the third issue in this suit, and I am satisfied for the reasons I have given that this suit should be dismissed on the two first issues, on the ground that it is substantially the same as the suit 14 of 1875,

and that the questions raised in that suit cannot be re-opened in this suit, because plaintiff ingeniously varies the phraseology of his plaint; and on the ground that the suit is, even on the present plaint, not cognizable by the Civil Courts.

16. I dismiss this suit and with costs.

Plaintiffs' Exhibits.

A. Plan of Sreerangam.

1st and 2nd Defendants' Exhibits.

I. Copy of judgment in Calendar No. 9 of 1874 on the file of the Magistrate's Court of Trichinopoly, dated 28th March 1874.

II. Copy of judgment in Criminal Appeal No. 8 of 1874, on the file of the Session Court of Trichinopoly, dated 22nd July 1874.

III. Copy of order passed in Criminal Petition No. 421 of 1874 on the file of the High Court, dated 25th November 1874.

IV. Copy of judgment in Original Suit No. 14 of 1875 on the file of the District Court of Coimbatore, dated 26th January 1876.

V. Printed copies of plaint, statement, and judgment, &c., in the above suit.

VI. Copy of judgment in Regular Appeal Nos. 19, 21 of 1876 on the file of the High Court, dated 31st July 1876.

(Signed) F. M. KINDERSLEY,
District Judge.

MEMORANDUM OF APPEAL.

Before the District Court of Coimbatore, Original Suit No. 4 of 1877.
Before the High Court of Judicature at Madras, Appeal No. 108 *of* 1877.

	In the Original Court.	*In the High Court.*
1. Sreeman Sadagopa Sree Sadagopa Sivami Avergul Akobila Matathipathy	*Plaintiff.*	*Appellant.*
versus.		
1. Parasara Sutharsana Bhutter and 3 others...	*Defendants.*	*Respondents.*

The plaintiff aforesaid begs to appeal to the High Court of Judicature at Madras against the decree of the District Court of Coimbatore in Originol Suit No. 4 of 1877, dated 27th July 1877, on the following grounds.

I. The District Judge erred in holding that the suit is not cognizable by the Civil Courts.

II. The right sought to be established by the suit being of a civil nature, the Civil Courts have jurisdiction to entertain it and have nothing to do with the motives whether religious or temporal which operated on the mind of the plaintiff in bringing the suit.

III. The suit is not barred by the decree in original suit No. 14 of 1875 which was dismissed simply on the ground that the plaint therein did not pray for the establishment of any civil right but only sought to compel the defendants to render certain devotional respects and honors to an idol and to perform certain religious ceremonies.

5th October 1877.

V. BHASHYAM IYENGAR,
Vakil for Appellant.

In the High Court of Judicature at Madras

Friday, the twenty-fifth day of January, One thousand eight hundred and seventy-eight.

PRESENT.

The Honorable Sir Walter Morgan, Knight *Chief Justice,*
" Mr. Justice Kindersley.

(Seal) Appeal No. 108 of 1877.

(Civil Miscellaneous Petition No. 388 of 1877.)

Sreman Sadagopa Sree Sadagopa Swami Avergal Akobila Matathipathy } Appellant (Plaintiff)

Parasara Sutharsana Bhutter & 3 others—Respondents representing 1st Defendant, 2nd Defendant, 3rd and 4th Defe[illegible]

Appeal against the Decree of the District Court of Coimbatore in Original suit No. 4 of 1877.

Grounds of Appeal.

1. "The District Judge erred in holding that the suit is not cognizable by the Civil Courts.

2. "The right sought to be established by the Suit, being of a Civil nature, the Civil Courts have jurisdiction to entertain it and have nothing to do with the motives, whether religious or temporal, which operated on the mind of the Plaintiff in bringing the Suit.

3. "The Suit is not barred by the decree in Original Suit No. 14 of 1875, which was dismissed simply on the ground that the plaint therein did not pray for the establishment of any Civil right but only sought to compel the defendants to render certain devotional respects and honors to an idol and to perform certain religious ceremonies".

Decree.—This appeal coming on for hearing: upon perusing the grounds of [illegible]al, the judgment and decree of the Lower Court and the material papers in th[illegible] and upon hearing the arguments of Mr. Miller, Counsel, and V. Bashyam Iyenga[illegible] [illegible]il for the Appellant and of Mr. Johnstone, Counsel for the Respondents, this Co[illegible] [illegible] order and decree that the decree of the Lower Court be, and the same he[illegible] [illegible] this appeal dismissed; and this Court doth further order

decree that the Appellant do pay to the Respondents Rs. 132 0 0 for their costs in opposing this appeal.

(Signed) W. MORGAN,
Chief Justice.

(Signed) J. R. KINDERSLEY,
Judge.

MEMORANDUM OF COST.

Respondents' (1st Deft. 2nd Deft. rep. 3rd and 4th Defts.) costs.

	Rs. A. P.
Pleader's fee on Rupees 2550 0 0	127 8 0
One printed copy purchased	4 8 0
To be paid to the Respondents (1st Deft. 2nd Deft. rep. 3rd and 4th Defts.) by the Appellant (Plaintiff	132 0 0

(Signed) T. WEIR,
Acting Registrar,
Appellate side.

(A True copy)

(Signed) T. WEIR,
Acting Registrar
Appellate side.

ரிக்கை
செய்
ங்கிம்.
ம் திருச்
ாகனங்க
அது சி
ந்க்கு அரி
ன டைரி
கதால் இ

YAR,
Collector.

affixed in its face. ... must be r...
to the Stalathars and a Muchilika n...
received from them for their consent
this must be sent with a report t...
Huzur. An order will be passed theret...
You should also report to the Huzur a...
personal inspection whether the abov...
mentioned Vahanams have got marks o...
not.

(Signed) THOMAS,
Ag. Collector.

16th October 1829.

19th October 1829.

... பேஷ்கார் திருமலே ராவுக்கு யென்னவென்றால்,

...வாமியாருக்கு உபயமாய் குடிக்கப்பட்ட கெருடவாகன சங்க
...ல்லாமல் குடிக்கக்கூடாதென்று சொல்லப்பட்ட சங்கதியை
...ழி வந்தது. அது காரியத்துக்கு ஷை வாகனம் சுவாமி கோவி
...ல் ஷை வாகனம் ஜீயர் சொர்தமேயல்லாமல் சர்க்கார் வாக
...அர்ஜியில் குதிரைவாகனம் முதலாகிய சில வாகனங்களுக்கு
...யிருக்கிறீர். ஷை அகோபலஜீயர் வடகலேயாயிருந்தபோதி
...டால் வீணான சச்சரவு நேரிடுகிறதென்பதாய் யெண்
...த்துவிடுகிறதாயும் கோவில் தாக்கானத்தின்பிறகு தெ
...று சொல்லுகிறபடியிருலே அப்படி நடக்கிறது யுக்தமாக
... உத்திரவு செய்கிறதாவது: இந்த சங்கதியை ஷை கோவில்
ஸ்த... ...க்குகிறதுமன்னியில் இரண்டு விதமான நாமமுமில்லாமல் ஷை
வாகனத்... ...ிரதக்ஷணம் நீரும் கூடயிருந்து செய்வித்து கோவிலில் தாக்கல்
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மூல்படி நடப்... ...ாதையை நடப்பிவித்து உஸ்தவாதிகளில் சுவாமி கெருடவாகன
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யில் யிது காரியகதில் ஷை ...ாவில் ஸ்தலத்தார் யேதாவது ஆக்ஷேபம் அல்லது சச்சரவுக்கு ஆர
ம்பிவித்தால் பாரிபாப் அபருதம் விதிக்கப்படுமென்று கண்டிப்பாய் ஸ்தலத்தாருக்கு தாக்கீதை
செய்து மேலே யெழுதியபடி நடப்பிவித்த சங்கதியை அதுருக்கு ரிபோர்ட்டு செய்யவும்.

1829௵ அக்டோபர்மீ 19௳. முகாம் திருச்சிராப்பள்ளி, இந்தப்படிக்கு
பேட் அசிஸ்டாண்டு கலெக்டர் தாம்ஸன் துரை ஒப்பம்.

N.B.—For the next dispute as to Thiruman, see document dated 21st *November* 1835, *(Vedanta Chariar) at page of this book; then the documents dated* 19th *and* 24th *January* 1850, *at P. P. of this book then the dacuments dated* 1st *June and* 3rd *Ju y dec* 1863 *at P. P. of this book.*

No. 192.

To

THIRUMALAI ROW

Deputy Peishkar of

A petition was presented by Ahobala Jeer
he had prepared a silver Garudavahanam (Bird V
nadhaswamy on the 16th Instant, that the said
sion through the two streets, that it should be e
the idol should be placed thereon on occasions
thereof respects should be shewn to his people a
occasions. The following order is passed thereo

This matter should be made known to the p
whether they object to the said proposal or not s

The report should be submitted to-morrow.

14th October 1829

16th October 1829

ஸ்ரீரெங்கம் தேவஸ்தானம் வகைரா முதலான
தேவஸ்தானம் டைரிபுஸ்தகம்.

1829௵ ஜூலை 12உ கரு 1239ம் பசலியிலி
ருந்து எடுத்தெழுதிய எக்ஸ்திராக்ட்டு.

ஸ்ரீரெங்கமவகைரா தேவஸ்தானம் பேட் பேஷ்
காருக்கு

என்னவென்றால், ஸ்ரீரெங்கநாதசுவாமியாருக்கு
அகோபலஜீயர் உபயமாய்க் கொடுத்திருக்கிற வெ
ள்ளிக்கருட்வாகனத்துக்கு தென்கலே நாமம்வைத்
து வீதி பிரதக்ஷணம் வந்து கோவிலுக்கு வரவே
ணுமேயல்லாமல் நெற்றியில் தென்கலே திருமண
இல்லாமல் கோவிலுக்கு வரக்கூடாதென்றும் வை
ஷ்தலத்தார் சொல்லுகிற சங்கதியைக் குறித்து நீர்
எழுதின 7௨கெ. அர்ஜி வந்தது. அது காரியத்துக்
கு வை ஸ்வாமியாருக்கு அப்பீல் கோர்ட்டு ஸ்ரீனிவா
ச அய்யங்கார் உபயமாய் கொடுத்திருக்கிற அன்ன
வாகனத்துக்கும் தங்க முலாம் பூசின கருட வா
ன முதலான இன்னம் சில வாகனங்களுக்கும் சுத்த
மாய் நாமமில்லாமலிருக்கிறதாய்த் தெரிய வந்தது
இன்னம் அதைச் சேர்ந்த காரியங்களினால் ஒருவரு
க்கொருவர் சச்சரவு நேரிடாமல் ஜாக்கிரதை செய்
யவேண்டியது முக்கியமானதால் யாதொரு நாம
முமில்லாமலிருக்கிற மேலெழுதிய வாகனங்கள் ஒ
ப்பத்தும் இப்போது அகோபலஜீயர் கொடுக்கிற
வெள்ளி வாகனத்தை வீதிபிரதக்ஷணம் பண்ணி

No. 19

To

p
A
Stalath
ing ca
streets
require
marke
process
to our
presented by
gar and the gold Garudavah
others have no marks at
it is necessary to prevent a
which will interfere with religion and
create quarrel between both the parties.
Therefore to prevent quarrel, the silver Ga-
rudavahanam presented by the Jeer may
like others abovementioned Vahanams be
brought through procession to the Temple

7th *August* 1863.

From,

WALTER NISBET Esquire,

Head Assistant Magistrate, Trichinopoly.

To,

VIRASAMI IYER, PERIASAMY MUDALIAR AND PARASARA SUDARISANA BHUTTUR,

Managers of Srirangam Devastanam.

We learn that there is nothing to shew what sort of marks (namam) exists from time immemorial and in what places they are within the Srirangam Devastanam; hence there is room for people to put up new marks and declare that they exist from time immemorial, to say that ancient ones were repaired or to declare them to be new; the above also occasions vain disputes and the preferring of cases repeatedly. If there be anything to shew the above particulars there will be no room for any body to put up new marks in any place besides those existing from ancient times and it will also be easy to detect any new mark if put up as the list will show which are ancient and which new ones.

Therefore it is very important that something must be done to give no room for quarrels.

Inspect therefore the Devastanam ramparts, towers and other places and frame a list of Vadagalai and Tengalai marks and their sorts (whether colored, made of chunnam and brick or engraved on stone) and the places where they are situated as they exist till now. Frame and forward the list with your signatures within 10 days without fail. Keep a copy of it with you.

Let there be no difference in this matter. See the marks very carefully as they exist now and enter them in the list. If we learn that there is some difference we will personally inspect the spot.

Trichinopoly,
7th *August* 1863

(Signed) W. NISBET,
Head Assistant Magistrate.

15th *September* 1863.

திருச்சிறாப்பள்ளி சபா வகையரு பேட்ட அசி ஸடாண்டு மேஜிஸ்திரேட்டாராகிய மகா-ா-ா-ஸ்ரீ வேலைதர் நிஸ்பேட்டு துரையவர்கள் சமுகத்துக்கு.

ஸ்ரீரெங்கம் தேவஸ்தானம் மானேஜர்களாகிய ஸ்ரீபருசாசுதரிசன பட்டர், தே. பெரியசாமி முதலியார் நாங்கள் சலாஞ்செய்து யெழுதிக்கொண்ட அர்ஜி.

என்னவென்றால், ஷெ தேவஸ்தானத்திலும் அதன் கோபுரம் முதலான விடங்களிலும் இன்னின்ன ஜாகாவில் தென்கலே அல்லது வடகலே நாமங்கள இருக்கிறதென்கிறதை செம்மையாய் ஜாகாக்களை கண்பார்வையிட்டு அதுகளுக்கு ஒரு ஜாபுதா தயார் செய்வித்தனுப்பும்படியாய் ஆகஸ்டு மீ 7உ யில் வந்த சன்னது சாதருச்சுது.

15th *September* 1863.

To

Mr. NISBET,

Head Assistant Magistrate.

Arzi addressed by Sree Parasara Bhutter and D. Periasawmy Moodaliar, Managers of Srirangam Devastanam.

We received your order dated 7th August, directing us to inspect well the Pagodas, their walls and steeples &c. and prepare and submit a list of Tengalai or Vadagalai signs which are on them.

அந்த காரியத்துக்கு உத்திரவுப்படி ஷை தேவஸ்தானத்துக்குள்ளும் வெளி பிரகாரம் மதிள் கோபுரம் முதலான விடங்களிலும் திருவாபரணம் பாத்திரம் வஸ்திரம் முதலானதுகளிலும் கல்லுகளாலும் சுத வேலைகளாலும் சித்திரங்களாலும் வைக்கப்பட்டிருக்கிற நாமங்களுக்கு செமையாய கண்பார்வையிட்டு அது விபரத்துக்கும் உச்சவாதிகளில சுவாமிக்குக்கட்டப்பட்ட புஷ்ப சிங்கார சப்பரம் பல்லாக்கு முதலானதுகளிலும் கடுதாசிகளால் ஒட்டுவேலை செய்யப்பட்ட தேர் சிங்காரம் முதலானதுகளிலும் ஷை தென்கலை திருமண் வைத்து வருகிற விபரத்துக்கும் ஜாபுதா தயார் செயவித்து இத்துடன் அனுப்பியிருக்கிறதும் தவிர அதற்குச்சரியான நகலும் தேவஸ்தானம் ரிக்கார்டில் ஒன்னு வைக்கப்பட்டிருக்கிறது. ஷை ஜாபிதாவையும் அதில் கண்டிருக்கிற ஷெறையும் பார்வையிட்டு ஷை ஷெறுவில கண்டிருக்கிற சில நாம சங்கதிகளைக்குறித்து கலெக்டர் துரையவர்களால கொடுத்திருக்கிற சன்னது முதலான அஜூர் ரிக்கார்டுகளையும் பார்வையிட்டால இந்த தேவஸ்தானம் அனாதிகாலமாய் தென்கலை ஸ்தலமென்றும் அதில் வடகலை திருமண் இருந்ததேயில்லையென்றும் வடகலை நாமம் வைக்கவேகூடாதென்றும் சித்தத்துக்கு விசிதமாகலாம். ஷை ஜாபிதாவில்கண்ட திருமண்கள் யாவத்தும் தென்கலையேதவிர வடகலை திருமண் என்கிறது இந்த தேவஸ்தானத்தில் எவ்விடத்திலும் கிடையாது. இப்போது 4, 5-மீ காலமாய் சில வடகலையார்கள் வீணான கலகத்துக்கு ஆஸ்பதமாயும் கெடுநோக்காய் நடந்துவரப்பட்ட மாமூல் வழக்கத்துக்கும் சர்க்கார் உத்திரவுகளுக்கும் கோர்ட்டு தீர்ப்புகளுக்கும் விரோதமாய் இந்த தேவஸ்தானத்து மதளில் சில இடங்களில் தங்கள் வீட்டுக்கு யெதிராக சுண்ணாம்புக்காவியினால் வடகலை திருமணை யெழுதியிருக்கிறார்கள் அதுகளை இந்த ஜாபுதாவில் தாக்கல் செய்யவில்லை அப்பேர்ப்பட்டதுகளையும் ஆகஸ்டு மீ 26உ யில் நாங்கள் யெழுதிக்கொண்டிருக்கிற அர்ஜியில் கண்டபடி இப்போது நூதனமாய் மேஜிஸ்திரேட்டாருடைய தீர்மானத்துக்கு விரோதமாய் கல்லினாலும் சுத வேலையினாலும் நாதமுனிஆழ்வார் கோவிலில் வைக்கப்பட்டிருக்கிற வடகலை திருமணையும் யெடுப்பிவித்து இனி அப்படிக்கி செய்யாமலிருக்கும்படியான பந்தோபஸ்து செய்விக்கவேண்டியது மேஜிஸ்திரேட்டாரவர்களுடைய கடமையாயிருக்கிற சங்கதி சித்தமரியலாவதாகயெழுதிக்கொண்டோம்.

1863 ஞு செப்டம்பர் மீ 15உ ஸ்ரீரெங்கம்.

(ஒப்பம்) ஸ்ரீபராசரபட்டர்
ஸ்ரீசுதரிசனபட்டர்.

(ஒப்பம்) தே. பெரியசாமிமுதலியார்.

(True Copy)

V. REGOONATHA ROW.

Dy. Collector.

According to the above order the Pagoda both inside and outside the Prakarams, walls, steeples &c., jewels, vessels, cloths &c. were well inspected and a list was prepared for the Namums (signs) engraved on granite stones, built with brick and chunam and painted. In the list is included the Tengalai marks which are set-up in festival occasions on flower-chapram (car) and palanquin &c and on the car adorned with papers. The list is sent herewith, and a copy of it is placed in Devastanam records. If the list and the note made therein as well as the Sunnuds of Collectors and the Hoozoor records relating to some signs mentioned in the said note were perused. You will know that this Devastanam is from time immemorial a Tengalai one, that no Vadagali mark ever existed therein and that Vadagalai mark cannot at all be put. All the marks or Thirumans mentioned in the list are Tengalais. There is no Vadagalai mark anywhere in this Devastanam. During the last four or five months some Vadagalais have contrary to long-standing mamool or custom, Circar orders and Court decrees and with a view to cause disturbance painted with chalk and kawvy certain Vadagalai marks in some places on the wall of this Devastanam in front of their houses. They are not included in the list. The said marks as well as the marks newly set up on stones and built with chunam and brick in the Nadamuny Alwar Coil contrary to the Magistrate's decision as mentioned in our arzi of the 26th August may be ordered to be removed and arrangement should be made so that such marks may not hereafter be set up; the Magistrate is bound to do this.

(Signed) SRI PARASARA BHUTTER *alias*
SOODARISANA BHUTTER.

" D. PERIASAMY MOODALIAR.

15th September 1863.

15th September 1863.

A descriptive list showing the number of namams to be seen in the Srirangam Devastanam as well as those cut in its walls, towers, vessels, vehicles, palanquins, and other furniture taken before God in procession.

DESCRIPTIONS.	No. of marks.
Golden Tengalai namam daily worn by Ranganadhaswami on his forehead.	1
Tengalai namam set with diamonds worn by Ranganadhaswami on particular days	1
Tengalai namam on the long coat wrought with pearls of Ranganadhaswami	1
do marks cut on the two thrones of Boopalarayen ...	2
do on the golden sceptre	1
do of gold on the silver plated handle of the pearl umbrella ...	1
do namams on the foreheads of the two idols Dvarapalakas near Renganadhaswami	2
do marks on the two silver staves	2
do on the golden Samaram	1
do on the pictured immages outside the Vimanam (tower) of Renganadhaswami	1
do on the golden Tholikinia (conveyance)	1
There are Tengalai marks on the pictures representing 108 places of pilgrimage drawn on the walls of the aisle around the above Vimanam and also there are many Tengalai marks on the pictures drawn on the ceiling of the above aisle.	
Tengalai marks on the stony tub for sandal making ...	1
A Tengalai mark on the stony tub put on the entrance of Thirumanjana room	3
A Tengalai mark painted over the entrance of Thulukanachiyar (Goddess)	1
There are Tengalai marks on the Dasavathara pictures twelve in number drawn on the side wall of the same	12
A Tengalai mark on the stony pavement of the Arjunamandapam ...	1
There are Tengalai marks on the 16 pictures drawn over the eastern wall of the said mandapam	16
There is an ivory Tengalai mark on the Sapparam in Ravathi mandapam	1
There are many Tengalai marks painted on the pictures all over the surface of the ceiling of Arjuna and Kili mandapams.	
There are twelve Tengalai marks on each of the pictures of Manavalamamuni &c drawn on the wall in front of the Tondiman's high ground mandapam.	
There are Tengalai marks cut on all the golden, silver, copper, and brass vessels, on drums, and musical instruments made of silver, bronze, copper &c. on curtains, canopies, torches and other articles in use in the pagodas of Ranganathaswami, Nachiyar (Goddess), Sakarathalyar, Narasimmaswami and Oraiyur Nachiyar.	

		No. of marks.
Tengalai	marks on the faces of two stone elephants in front of Krishnan Kovil	2
do	mark in stone on the wall of Sayarai gate ...	1
do	mark in the guilt picture Thiruvenkatamudayan ..	1
do	marks on painted pictures on the side coverings of Vundiyur Chupparam	
do	On Magara Thoranam taken before God in procession ...	2
do	marks on two churitees made of glass	2
do	marks on the guilt Thirumanjana seat on which God bathes ...	3
do	marks 2 on the round plate of the above seat ...	2
do	mark on the great bull (?)	1
do	mark on the forehead of the silver elephant ...	1
do	mark on the plank at the foot of the above vehicle ...	1
do	mark on the forehead of the silver Kili vehicle ...	1
do	mark on the forehead of the Yali vehicle ...	1
do	mark on the Ratta Praba vehicle	1
do	mark in the forepart of the large palanquin ...	1
do	mark on the covering of the said palanquin ...	1
do	marks on the elephant's face ornaments	
do	marks on the 3 Thirumanjanam siver pots ..	3
do	marks on 12 large copper vessels	12
do	marks in the fans and on some of the jewel boxes	
do	marks on the pictures in the ceiling of the four pillared mandapam in the aisle of Sanamudaliyar ...	
do	marks in octre around the said aisle ...	
do	marks in some of the cloths ...	
do	marks on the four images of Jayavijayal on both sides of the Nallivatta gate	4
do	marks on the images in the 10 pillars of Thorai mandapam ...	10
do	mark on the eastern slope of the said mandapam	
do	marks on the two stone tubs of the Paniyara Podu. (cakes preparing room)	2
do	marks on the stone plank in the said room	
do	marks on the 3 stone planks in rice cooking room ...	3
do	marks on the 2 pillars of the said room	2
do	marks on the 3 stone tubs in the ghee room ...	3
do	on the ghee measuring brass vessel ...	1
do	mark on bronze vessel for keeping ghee ...	1
do	mark on the salt keeping vessel	1
do	mark on the bronze measure	1

		No. of marks
Tengalai	marks on the 6 stone tubs in Sukaravara Podu ...	6
do	marks on the faces of the 2 stone elephants in front of Unjal mantapam	2
do	mark on the face of the Garudan in golden Thuvayastambam	1
do	mark on the gate of Ayagreevar room in Thirupavitra high ground	1
do	mark on the wooden tub of Boopalan	1
do	marks on the wax covering of the wax tent ...	2
do	mark on the face of the Monkey God in front of Thuvajarohana mandapam	1
do	marks in the pictures of Ranganadhaswami &c. in the opposite wall of the said mandapam ...	
do	mark on the face of the golden guilt Kite vehicle ...	1
do	marks on the two sides of the foot plank of the same ...	2
do	mark on the face of the four images of the palanquin ...	4
do	mark on the forehead of the golden guilt Kulpakavirutsha vehicle	1
do	mark on the plate of the seat of the said vehicle	
do	mark on the guilt tortoise plate	1
do	mark on the guilt lion head	1
do	mark in plate on the head and pan of monkey vehicle ...	2
do	mark painted on the face of the 8 elephants of the guilt serpent vehicle	8
do	mark in jewel work on the guilt tortoise plate ...	1
do	mark on the trunk of the elephant vehicle ...	1
do	mark in paint on the forehead of the image in the hood of the said vehicle	1
do	mark on the bases plank of the said vehicle ...	1
do	mark in paint on glass in the ivory swing of God ...	1
do	mark on the images in the upper plates of the said swing ...	23
do	mark in ivory on the siwng of Goddess	1
do	marks on the faces of the ivory images in the said swing ...	73
do	marks in paint on the glasses of the said swing ...	21
do	do are existing in Octre on the round lane of Thorai mandapam	
do	mark in the pillar of the swinging mandabam ...	1
do	in brick and chunam in front of the Aribattan tower gate ...	1
do	in paint in front and behind it	2
do	marks in the back part are existing on the painted pictures	
do	mark in stone at Kottaram	1

		No. of marks.
Tengalai	marks in the six stone mortars	6
do	mark on the one copper vessel for measuring oil	1
do	marks on the painted pictures of Ranganadhaswami &c. of the said	
do	mark in chunam in the front of Muthalvar's shrine	1
do	mark in the front of Vasudevaperumal Kovil	1
do	marks on both sides of the stone walls of Chantharapushkarani	2
do	mark on a pillar of the 4 pillared mandapam	1
do	do do do do to the north of paramapatha gate	1
do	marks in painted pictures on the door of Paramapatha gate and and all the ceiling of the 4 pillared mandapam to the south of Chandrapushkarani	
do	mark in chunam in front of Kothandarama Temple	1
do	mark in stone in the front of Varatharaja's shrine	1
do	mark in chunam in the front of Paramapathanathan shrine	1
do	mark in paint in the front of Venkatasaperumal shrine	1
do	mark in chunam in the front of Thirumulisi Alwar shrine	1
do	mark in chunam on the western wall of ManaVeli	1
do	mark on the wall	1
do	mark on monkeys and kites faces on the side wall	1
do	marks in the pictures on the ceiling of the 4 pillared mandapams in front and to the north of Tirumulasi Alvar shrine	1
do	mark sin chunam over the front gate of Sripandaram	1
do	marks an a pillar of the 4 pillared mandapam next to it	2
do	marks in the images of the pillars of Garuda mandapam and on the ceiling of it. They are to be found in painted pictures.	
do	marks in the painted pictures to be found in Nammalvar's Thirukatcha, Venugopala's, Thondaramallan's front gates and on the inner Mandapams of Suriyapushkarani.	
do	marks on the southern and western walls of the kite shrine.	
do	mark on the face of the Garudan	1
do	do in the front Mandapam of the said Garudan	1
do	do in stone in the eastern gate of Nammalvar's shrine	1
do	marks in the painted pictures in the ceiling of the paddy measuring 4 pillared Mandapam.	
do	marks in Ootre in Kottaram Prakaram	1
do	mark large in paint, in front of Chuckrathalvar's shrine	1
do	marks small in paint in front of the same	1
do	marks on the painted pictures on the side walls.	

		No. of marks.
Tengalai	mark in silver in the face of the great Chuckarathalvar ...	1
do	mark in silver in the face of Yoka Narasimmaswami ...	1
do	mark on the copper box of saligramams ...	1
do	mark on Boopalarayen's throne of the said Alwar ...	1
do	mark in chunam in front mandapam of Katakuli ...	1
do	mark on stone in the inner mandapam of the same ...	1
do	marks 3 for 3 pillars of the same	3
do	marks in octre in the inner Prakaram of the said mandapam and on the mandapams and outer mandapams	
do	marks on the pictures in the ceiling of the 4 pillared mandapam to the south of the Goddess Temple	
do	mark on the silver conveyance of the Goddess ...	1
do	marks on the painted pictures over the Chapparam of the 4 pillared mandapam of the Chandana mandapam thereon	
do	marks on the wooden Tiruvasi of the said mandapam ...	1
do	mark on the pillar of the said Chundana mandapam ...	1
do	marks for 2 elephants in front of the same ...	2
do	marks, many on the pictures of the Prathatchanam of the Kovil, in the ceilings on the swinging mandapams, Uthura mandapams and on Thiruvannali mandapams	
do	marks on the images in chunam over the Vimanam of Goddess.	4
do	mark in chunam in front of Dasikar's shrine ...	1
do	marks on the painted pictures in front of Mattu Alasingar's and Vasudevaperumal shrine	1
do	mark in paint in front of Vasudevaperumal Kovil ...	1
do	mark on the pillar in Kuruther mandapam ...	1
do	mark on stone in the gate of a room to the west of Vasudevaperumal shrine	1
do	marks on the painted pictures in the ceiling and of Nachiyar's and Kurathalvar's gate near streets	
do	marks in octre in 1000 pillared mandapam	
do	marks in the middle stone of the ceiling of Sasharoyer mandapam	2
do	marks in the stone images on the pillars of the same ...	
do	mark in chunam work in front of Pullalokachariyar's shrine ...	1
do	marks on the pictures of the side walls of the same ...	2
do	mark on the gate door of Yemberumanar shrine ..	1
do	mark on a pillar of the said shrine	1
do	marks on the painted pictures in the ceiling of the same	
do	mark on the flag stone	1
do	mark on the stone pillars of Vahana mandapam ...	1

		No. of marks.
Tengalai	mark in paint of the same mandapam	1
do	mark in an image in the front pillar of the same ...	1
do	marks on the painted pictures in the same	
do	mark in paint in front of Thirupani Alvar shrine ...	1
do	mark in chunam work in front of Thondaradipodi's shrine ...	1
do	do do of Karathalvar's shrine ...	1
do	do do of Cutcherry ...	1
do	mark in paint in front of Ulchudi Nachyar ...	1
do	marks on the painted pictures in the ceiling in front of Cutcherry's watershed, cutcherry, in the front mandapam of the record rooms of the cutcherry and in the ceiling of Anayathi mandapam	
do	mark on the pictures in the Thirumanthicappoo 4 pillared mandapam	1
do	marks on the painted pictures in the ceilings of the said mandapam and in the ceiling of the large 4 pillared mandapam in the Ranga Vilasam	
do	marks on the pictures on the side frame stones of Vellai Gopuram's gate	
do	marks in paint on the Namakadi Gopuram (Tower) ...	2
do	marks in Octre in chunam	2
do	marks on stone in the ceiling of Sakkiliyan tower ...	2
do	marks on the 17 painted pictures of the said gate ...	17
do	marks on the painted pictures in the northern tower gate of Ootra street and Kattagopuram gate	
do	mark in the front of Tai Car	1
do	marks on the cross and axle tree of the same	
do	marks on the painted pictures on the mandapam of the said car stand	
do	mark in chunam work in the front of Manavalamamuni's shrine	1
do	marks on Chitra car and in the images of the same ...	32
do	marks in the cross and axle tree of the same	
do	mark in paint on the mandapam of the said car stand and in the car stand of the Goratham	1
do	mark in chunam work in the building for the same keeping of the Goratham &c.	1
do	mark in the front of the upper work of the same ...	1
do	marks on the images of the said car and on the axle tree and wheels	
do	mark above the eastern room of the Thalayari tower gate ...	1
do	marks on painted pictures on the ceiling &c. of the same ...	

		No. of marks.
Tengalai	mark in chunam work in the western gate of Chitra street ...	1
do	mark in chunam in the eastern Thamotharan tower ...	1
do	mark in paint in the front of Velichudi Nachiyar's shrine ...	1
do	mark on a pillar of the 16 pillared mandapam near the eastern gate	1
do	marks on the images in chunam work of the tower of the Chitra street tower of the northern gate	
do	mark on the stone in front of southern Roya Gopuram ...	1
do	mark on the north of the same	1
do	mark on the middle ceiling stone	1
do	mark in paint in the gate of the Muniappan Kovil ...	1
do	marks on the 4 sides of the gate of the western Roya Gopuram.	4
do	mark in chunam work on the said gate	1
do	marks on the 4 sides of the gate of the northern Roya Gopuram.	1
do	mark in chunam work of the said gate	1
do	mark in the out stone pillar of the said gate ...	1
do	mark in paint in the inside	1
do	mark in chunam work on the image	1
do	mark on the image of the same	1
do	marks on the 4 sides of the gate of the eastern Roya Gopuram	4
do	marks in the ceiling stone on the eastern side of the said gate..	2
do	mark on the pillar in the inside of the said gate ...	1
do	mark in chunam work in front of the said gate ...	1
do	mark on the said frame of the gate opposite to Singar Kovil ...	1
do	mark in chunam work in the inside of the said gate ...	1
do	mark in chunam work on the western wall of the Adayavalanjan street	1
do	mark on the eastern flight of stones in the tank ...	2
do	mark in chunam work in front of the Ayanar Kovil gate ...	1
do	mark in chunam work on the Thirumanjana Padithorai 16 pillared mandapam	1
do	mark in stone of the same	1
do	mark on painted pictures	1
do	mark in stone in front of Uriyadi mandapam ...	1
do	mark in chunam building	1
do	mark in middle stone of the ceiling	1
do	mark in painted pictures	1
do	mark in chunam work on the 4 pillared mandapam on the way to Ammamandapam	1

		No. of marks.
Tengalai	mark in chunam work on both sides of the Ammamandapam	1
do	mark in the inner pillar	1
do	mark in the pillar of the Rama Krishna Royer mandapam ...	1
do	mark in the pillar of the Odda Ramachari mandapam ...	1
do	mark in paint on the wall of the said mandapam ...	1
do	mark in chunam work on the Asvatheertha mandapam ...	1
do	mark in the pillar of the said mandapam ...	1
do	mark in paint in Nagappillai Opaya mandapam ...	1
do	mark in a pillar of the 4 pillared Yellakarai Ramanuja mandapam	1
do	marks on the 4 side frames of the gate of Mottai Gopuram ...	4
do	mark on the said well	1
do	mark in the pillar of the Yellakarai mandapam ...	1
do	mark in chunam work in front of the said mandapam ...	1
do	mark in chunam in the front gate of the Singar Kovil ...	1
do	mark in the pillar of the inside mandapam ...	1
do	mark in paint on the opposite wall	1
do	marks painted in pictures on the wall and in the front of the same	10
do	marks in the painted 15 pictures of the mattoo mandapam ...	15
do	mark on the stone Kite of the said mandapam ...	1
do	mark in silver on the face of Alasingar	1
do	marks on the chunam images on Vimanam ...	1
do	mark on the pedestal stone	1
do	mark on the said gate of the said mandapam ...	1
do	mark in paint on the Vijiyadasami mandapam ...	1
do	mark in paint in Sukkaravara garden mandapam	1
do	mark in the pillar of the 4 pillared mandapam of the Collector	1
do	mark in front of the Komutti Opayamandapam ...	1
do	mark in chunam work	1
do	marks on Painted pictures	1
do	mark in the pillar of the said 4 pillared mandapam ...	1
do	mark in chunam work above it	1
do	marks in stone on the Palampullivettoo mandapam and Kovil...	1
do	mark on the Jeeyerpuram mandapam	1
do	mark in chunam in the front of Ranganadahswami mandapam in Uthamar Kovil	1
do	mark in silver over the forehead of the great Swami of Orayur Nachiyar Kovil	1
do	marks on the forehead of Thuvaraparakals in chunam work at Keelapadi	2

91

		No. of Marks.
Tengalai	mark on the forehead of great Perumal in chunam work ...	1
do	mark on the chapparam of Sukkaravara mandapam ...	1
do	mark in the upper work of the *raft festival* mandapam ...	1
do	marks on the painted pictures over the walls of Cutchery mandapam	1
do	mark in paint in the front gate of Nammalvar ...	1
do	mark in chunam work in the outer tower ...	1
do	mark in chunam work on the eastern wall of the same ...	1
do	mark in chapparam plank of Unjal mandapam ...	1
do	marks which once existed in the Ùnjal (swinging) which was damaged by fire	
do	mark amidst the inscriptions on a wall in Yemberumanar's shrine	1

REMARKS.

Several of the marks entered in this list have been existing since the beginning of this temple and many were established by Karnatic Rajas; among them, several were repaired while the institution was in the hands of Government and after its passing into the possession of the Trustees. The work in the front of *Vadanta Chariyar's shrine* was set up in 1835 under the orders of Cirkar immediately after the Vadagalais erased that which existed before The *Tengalai mark* on the *silver Kite* mentioned above which was offered by *Agobalaswami*, the guru of the Vadagalais to Renganadhaswami was put in its forehead under the orders of the Cirkar. These are sufficiently proved by Cirkar documents and decisions of Courts and inscriptions in some of the vessels. It is invariably the custom to affix in respective festivals Tengalai marks in *car*, *Vundilur Chapparam*, *Paper works*, *hanging Puppets*, *Sabai*, *Thiruvasi*, *&c.*, and in the car of the first and the seventh festivals, in the chapparam of tender cocoa leaves; *Thuduku* of the raft, Sathavaranam. Thiruvasal festivals, and in Arumbu palanquin, and *Adumpallaku*, and in the Thuduku of tender cocoa leaves of *Chapparams* (It is a kind of frame work serving as a canopy and made of bamboos under which idols are carried generally in procession) of *Alwars* and Achariyals on their *birth-days* and in the painted pictures and car and Vundilur chapparam, Thvujapadam, and on the foreheadof Sallaveernakalapam.

15th September 1863.

(Signed) PARASARA SUDARSANA BHUTTER,

" D. PERIYASWAMI MUDALIAR,

92

7th September 1874.

Judgment in Calendar case 100 of 1874 on the file of the District Magistrate, Trichinopoly.

This is practically a complaint of the Vadagalais that their sect has been insulted by the erection of new and unusually large Tengalai Namams on the top of the highest tower in Srirangam.

2. The complainant declares that the marks were erected immediately after the Court delivered Judgment in the Appeal case No. 8 of 1874; and there can be no doubt that they were put up about that time, though Defendants contend that the work was ordered a month before Judgment was delivered. However this may be, the presumption that the marks were put up in celebration of the Tengalai Victory is very strong, and it seems to me that such a demonstration is likely to be extremely offensive to the Vadagalai sect and calculated to cause a disturbance, apart from all question of religious prejudice.

3. I therefore declined to dismiss the case on the grounds taken by the Defendants' Vakils that the temple being a Tengalai temple, they had a perfect right to put any marks they chose upon it.

4. But clearly if similar marks were there before, however much defaced they might be by the action of the weather, the Vadagalais could have in my opinion no ground whatever for complaint. One issue in the case therefore was a very simple one viz:—Whether there were Tengalai marks under the Singams at the top of the Gopuram hitherto or not; and again Srirangam has divided itself into two bodies, one to *swear* there were *not* and the other to swear there *were* such marks.

5. Before going into this question however it was necessary to decide whether the evidence by which the Defendants 1 to 6 were connected with the case was to be relied upon. As to all the other Defendants, Brick-layers, Maistry, Ameen, they admitted (through their Vakil) that they put the marks under orders and no further evidence was necessary on *that* point. But the 1st 5 Defendants deny that they gave any special orders on the subject and the 6th (a sort of attendant on the 1st) follows first.

6. Now the evidence against them consists of the statements of the first 6 witnesses who say that they *happened* to be present on the 4th August and heard the 1st Defendant give express orders to the 8th to put up Tengalai marks. They add that the 6th and 7th were ordered to look after the work, that the Defendant also gave similar orders and that the others 3rd 4th and 5th confirmed them by saying "Saridan" or words to that effect.

7. This evidence is most circumstantial and though there are (especially as to the distances and words used) minor discrepancies in the statements of witnesses, I should not be prepared to reject it on that account; but it happened that the first 5 Defendants comprise *the whole body of stallattars* (with the exception of the jeer himself) and the 1st is also at present rotation Manager and we are therefore asked to believe that they deliberately convened a kind of council in a most public place close to the Gopuram on the 4th August apparently *on purpose* to give the Maistry instructions about putting up new Tengalai marks.

8. A written or even verbal order from the 1st Defendant would probably have been sufficient, and this account of a solemn conclave of *all* the *working* stallattars seems to me very improbable.

9. Then the details of what took place and the artistic way in which *every one* of those present is made to take his share of responsibility (though it is only by saying "Saridan") is, to my mind, very suspicious, the witnesses evidently professed to give the exact words used by the Defendants, but there were the widest discrepancies amongst them; and one witness was at last obliged to admit that he used any word which seemed to express the meaning.

10. No one of the witnesses who say that, as Vadagalais, they were so much distressed at the idea of Tengalai marks being put on the Gopuram made any remonstrance at the time or called a single unbiassed sudra to witness the injustice being done by the Tengalais, nor was any complaint made to the great Vadagalai Manager, Kodyalam Rangasami Aiyangar or his protégé Periyasami.

11. The whole Vadagalai sect was openly insulted and yet not one of them complained to any one for 3 days.

12. Complainant's explanation of this is that he was ordered to complain it to the Magistrate if he was insulted. But he was not ordered to wait for 3 days before laying his complaint or delay till it would be impossible for any Magistrate to see for himself whether the marks were there before or not; and it is only reasonable to suppose that if he had been insulted and provoked, (he or his people) would have gone *at once* to the Magistrate or to Periyasami and persuaded them to come and see what was being done before it was too late. Instead of doing this, however, he *deliberately* waited till, as he says himself, the repairs have been completed and it was impossible for any one to decide by inspection whether there were marks before or not.

13. His excuse *that he was ill* was evidently a mere conventional statement unworthy of the slightest credence.

14 As however it appears that the notice from this Court dated 6th January 1874 is liable to misconstruction and as there is evidently no longer any danger of any disturbance on account of which only it was issued, it will now be withdrawn. (Ordered to Tahsildar accordingly).

15. There is, no doubt, a very strong presumption that there were *no* marks on the Gopuram, because no mention is made of them in the list of marks (*signed by the 2nd Defendant*) in 1863; but there may have been some old worn out marks which escaped notice as the tower was at that time a good deal out of repair; and as complainant had ample opportunity of proving his case by the conclusive evidence of an unbiassed Magistrate, I am inclined to think that his case was not so strong as he wishes to make out and that in all probability the marks were being put up before the date of his complaint and that at any rate, neither he nor the people of his sect were seriously insulted by what was being done.

16. People who are provoked to the pitch of causing a breach of the peace would at least go straight to the Magistrate and not wait 3 days to collect evidence.

17. No one of the other witnesses who speak to the marks, seem to have taken any step whatever to avenge the insult, they say, they have received, and the responsible Managers, one of them a Vadagalai, who could certainly have stopped the work, did absolutely nothing.

18. It should be added that the 2nd 4th 5th and 6th witnesses are all related to complainant and Kodyalam Rengasami Aiyangar.

19. "Truth is stranger than fiction" even in India, and I am not prepared to say that the account of the conspiracy *may* not be true, but I should be afraid to convict any one on the evidence adduced to prove it and it seems therefore useless to put the Defendants on their trial at all.

20. Even admitting that the marks were new (which is certainly not satisfactorily proved) there is in my opinion no evidence to show that the Vadagalai sect were seriously insulted by them; and it seems that they had deliberately seized the opportunity of getting up the case against the Tengalais.

21. I am not prepared to admit that the mere erection of *Tengalai* mark in a Tengalai temple like Srirangam, where new Tengalai marks have been frequently put, could be considered to come within the scope of even the elastic Penal Code. It would only be the erection of some unusually large and conspicuous mark, as this is alleged to be, which could possibly constitute an offence.

22. At the same time, I do not mean to imply that the Tengalais would always be justified in putting new Tengalai marks in the present state of parties; and I certainly think, it would be wise for them, *not* to do so without the special order of the Managers.

TRICHINOPOLY, 7th September 1874. (Signed) J. B. PENNINGTON, *Ag. Magistrate.*

Proceedings of the Acting District Magistrate Trichinopoly, under date the 9th November 1880.

C. C. No. 155 *of* 1880.

Read complaint presented by Sami Aiyangar *alias* Venkata Varada Chariar against Kandadai Annan Vadula Desikar Srirugachariar and seven others under Sections 295, 188 and 323 of I. P. C.

Read also report thereon No. 160 dated 11th October 1880 from the town 2nd class Magistrate, Trichinopoly.

This is a petition from a member of the Vadagalai sect complaining that his religious feelings were hurt by the act of certain persons, eight in number, 6 of whom are of the Tengalai sect at Srirangam and two of them are bricklayers employed by the said 6 persons in affixing a Tengalai Namam to a Mantapam in the Sukravaram Tope. The said act being contrary to an order passed by Mr. Nisbet the Head Assistant of Trichinopoly in the year 1863, and further that when attempted to remonstrate with the 1st Defendant he was assaulted and showed away.

These acts are put down as offences under Sections 295, 188, and 323 of the Penal Code.

I see no reason to attach the importance to this petition that the party represented by the petitioner would wish me to do. It has been over and over again decided that this temple is a Tengalai temple in so far as that the Tengalai sect have the supreme voice in regulating the ceremonies and the Tengalais have often succeeded in preventing the Vadagalais from putting their Namams in the temple. It is quite a different thing to admit that the Vadagalais have the right to prevent the Tengalais putting their Namams in various places and I consider that the view taken by Mr. Pennington in his judgment in Calender No. 100 of 1874 Para 21 and 22 is correct. He says "I am not even prepared to admit that the mere erection of a Tengalai mark in a Tengalai temple like Srirangam where new Tengalai marks have been frequently put could be considered to come within the scope of even the elastic Penal Code. It would only be the erection of some unusually large and conspicuous mark as this was

alleged to be which could possibly constitute an offence." It is therefore a question of fact in each case whether there have been such large and determined preparations made as indicate a desire on the part of the Tengalais to wound the religious feelings of the opposite sect. The knowledge that they are liable to be found to have exceeded their lawful limits must act as a check on the action of the Tengalais in erecting these marks. In the present case the report of the Town Sub-Magistrate who as a Sivite has no proclivities one way or the other shows that the Mantapam in which this Namam has been affixed is situated in a tope which is so much under the control and in possession of 1st Defendant, that he has placed a hedge round it. Whether the contention of the Complainant that the Mantapam is temple property be or be not true I consider that the erection or the renewal of the Namam complained about does not amount to any offence, nor is it disobedience to a lawful order, for Mr. Nisbet's order of 1863 addressed to the Taluk Magistrate was not an order addressed to the persons complained against and is of no value beyond assisting a decision as to whether a Namam is new or old. I further agree in discrediting the story about the alleged assault of and hurt inflicted on Complainant and accordingly dismiss, the petition under Section 147, C. C. P.

TRICHINOPOLY, 9-11-80.

(Signed) C. W. W. MARTIN,
Ag, Dist. Magistrate.

10th December 1880.

To,

The District Magistrate of Trichinopoly.

The humble petition of R. Kuppusami Aiyengar Pleader

Venkata Varadachariar complainant.

MOST HONOURED SIR,

I beg to submit that one of the prayers mentioned in the complaint which was dismissed by your honour on the 9th November last, was that a notice should be issued preventing the erection of new Tengalai marks in Srirangam and that somehow or other that prayer seems to have escaped your honour's notice.

The necessity for such a notice is obvious and it has now become greater. Your honour's dismissal of the last complaint which has shewn itself to be a source of serious disturbances in Srirangam and especially some of your honour's remarks such as "Tengalai sect have the supreme voice in regulating the ceremonies," and have quite infatuated the Tengalais and it cannot be imagined what they will do in this state of their giddiness and what number of new marks they will put up to wound the feelings of the other sect inasmuch as they are quite certain of impunity.

The Proceedings of the Foujdaree Udalut under date the 1st August 1850 (a copy of which has been filed with this petition) will show that Vadagalais have succeeded in removing a big Tengalai mark from the most conspicuous place in Srirangam. If it is true as your honour has observed that Srirangam is a Tengalai Temple those proceedings would never have taken place. The very order of Mr. Nisbet's calling for a list of marks and the reasons that he has assigned for so requiring a list argue strongly against the supposition that the temple is a Tengalai temple and show the necessity for the issue of a notice of the kind that is now prayed for.

Under these circumstances I request your honour will be kind enough to issue a proclamation to the effect that no new marks either Tengalai or Vadagalai may be affixed anywhere in Srirangam or within its precincts, having regard to the list which was prepared in 1863 and that no renewal of old marks may be made without the express orders of the managers.

I beg to remain
Most Honoured Sir
Your honour's most obedient servant,
(Signed) R. COOPOOSAMY AIYENGAR
Pleader for
Venkata Varadachariar.

10th December 1880.

A reference to the proceedings of the Sessions court of Trichinopoly of the year 1850 (a copy of which has already been filed with the complaint) is requested.

(Signed) R. C.
(True Copy) T. PATTABHIRAM
Ag. Dy. Collector.

No. 491/14-12-80.

To,

CUPPOOSAMI AIYENGAR
VAKIL.

With reference to your petition dated 10th December 1880 you are hereby informed that I refuse to give any such general order as that prayed for. In each case of a new mark being put up it will be a question to be decided whether the placing of a mark does or does not amount to an offence.

(Signed) H. SEWELL,
District Magistrate.

No. 2493. 11th August 1881.

Proceedings of the District Magistrate of Trichinopoly dated 11th August 1881 in Calender case

No. 8 *of* 1881.

Read Petition dated 31st March 1881 presented by Thiruvengadatha Iyengar under sections 295,141 and 188 of the I. P. C. complaining that Amu Kristna Iyengar and 9 others have, with the deliberate intention of wounding the religious feelings of the Vadagalai sect, newly set up a Tengalai mark on the Gopuram in the Paramapathavasal in Srirangam.

Read also urji No. 202, dated 6th July 1881 (with its enclosure) received from the Town 2nd class Magistrate to whom the abovesaid petition had been sent for report.

Order:—In this case the Vadagalais in Srirangam complain that the Tengalais have put up a Tengalai caste-mark on the Paramathavasal (i.e) one of the small Gopurams in the north side of Srirangam. According to the old list prepared in 1863 there were several Tengalai marks on the gate and on the figures belonging to the Gopuram. And the Gopuram may therefore be considered to have a Tengalai better than a Vadagalai duration. Under these circumstances if the accused did repaint and even enlarge their castemarks on the Gopurams I do not see that it would constitute an offence under Sec. 298. I. P. C. and the complaint will therefore be dismissed under Sec. 147 C. P. C. I do not believe that at present there is any likelihood of a disturbance between the parties. The Police will be instructed to have a careful lookout and inform the Magistrate if there is hereafter any risk of a breach of the peace in which case both sides will be bound over on heavy penalties.

(Signed) HENRY SEWELL,
District Magistrate.

Original,

13th April 1821.

சன்னது நெ. 21.

ஸ்ரீரெங்கம் வகைரா தேவஸ்தானம் பேஷ்கார் அப்பாசாமி முதலிக்கி

என்னவென்றால், ஸ்ரீரெங்கத்தில் இப்போது புதிசாய் மராமத்து செய்கிற ஆயனார் சந்நிதிக்கு எதிரே இருக்கிற நாலுகால் மண்டபத்தில் பெருமாள் எழுந்தருளி பானகம் வடைப் பருப்பு அமுது செய்கிறதற்கு உத்தமநம்பி ஷெ மண்டபம் தன் சொந்தமென்றும் அதில் பெருமாள் எழுந்தருளும்படி செய்யக்கூடாதென்றும் தகரார் சொல்லுகிறதாய் நீர் மார்ச்சு ௴ 24௳ யில் எழுதிக்கொண்ட அர்ஜி வந்து சேர்ந்தது.

அதுகாரியத்துக்கு ஷெ ஸ்ரீரெங்கத்திலிருக்கிற சுத்துக்கோவில் மண்டபங்கள் முதலானதுகள் சர்க்காரைச் சேர்ந்ததென்றும் யாருக்கும் சொந்தமில்லையென்றும் முன்னமே அநேக உத்திரவுகள் அனுப்பியிருக்கிறோமல்லவா இப்பவும் அதில் பட்டப்பேர் வீராசாமி நாயக்கர் மண்டகப்படி பண்ணி வைத்தால் சுகமாய் பண்ணச்சொல்லவும். அது யாருக்கும் சொந்தமாகமாட்டாது.

1821 ௵ ஏப்ரல் ௴ 13௳.

(Signed) G. PHILHIPS

Ag. Collector.

(True Copy)

Civil Judge.

13th April 1821.

Sunnud No. 21.

To

APPSAMI MUDALI,

HEAD PEISHKAR,

Srirangam &c. Devestanam.

Received your Arzi dated 24th March stating that Oothamanambi objects to the God being taken to the four pillared mantapam which is now being newely repaired opposite to the Ayanar Temple in Srirangam and to sugar water and வடைப்பருப்பு being offered to the said God in the said mantapam, on the ground that it (the manpam) is his own private property.

In respect to this matter, have we not already issued many orders to the effect that all the Suthukovils or sub-temples in Srirangam and all the mantapams &c. belong tothe Circar (Government) and are not the private property of any person? If Veerasami Nayudu is willing to conduct the said mandagapady there, let him by all means do it. It will not become the private property of any body.

13th April 1821. (Signed) G. PHILLIPS,

Ag. Collector.

Veli Sudikudutha Nachiar kovil.

19th September 1829.

நெ. 136.

ஸ்ரீரெங்கம் தேவஸ்தானம் டிப்டி பேஷ்கார் திருமலைராவுக்கு

என்னவென்றால், ஸ்ரீரெங்கம் தேவஸ்தானம் வெளிசூடிகொடுத்த நாச்சியார் கோவில் மதில் மராமத்து வேலைக்காக வந்த பணத்தில் செலவானதுபோக பாக்கியிருக்கிற ரூபாவிலே எஸ்டிமேட்டு கணக்கில சுண்ணாம்பு குறைச்சலும் செங்கல் அதிகமாயும் போட்டதையும் இப்போது வேலைக்கு சுண்ணாம்பு குறைச்சலாயிருப்பதினாலே செங்கல் கிரயத்தில் சுண்ணாம்பு வாங்கிக்கொள்ளும்படியாய் உத்திரவாகவேணுமென்று நீர் எழுதிய 106வது நெ. அர்ஜி வந்தது.

அதுகாரியத்துக்கு நடந்துயிருக்கப்பட்ட மராமத்து வேலைகளை பரிசோதனை செய்யவேண்டியதற்காக மராமத்து மேஸ்திரியை அனுப்பிவித்ததிலே ஷெயான் போய் சோதனை செய்துகொண்டுவந்ததில் ரூ 175, பை. 1க்கு வேலை நடந்திருக்கிறதாகவும், அதுபோக பாக்கி வேலை நடக்கவே

ண்டியது ரூ. 47, பை. 8 யென்றுவந்து ரிப்போர்ட்டு செய்தபடியினாலே வேலை நடந்ததும நடக்கவேண்டியதும் சோதனைப்படிக்கு ரூ. 222, பை. 9 போக எஸ்டிமேட்டுப்படிக்கி பாக்கி ரூ. 47¼, பை. 3ம் அசூர் கஜானாவுக்கு யிருசால்செய்கிறதும்தவிர பாக்கி நடக்கவேண்டிய வேலையை சீக்கிரத்தில் நடப்பிவித்து அது சங்கதியை அசூருக்கு ரிப்போர்ட்டு செய்யவும்.

1829வரு செப்டம்பர்மீ 19உ }
முகாம் திருச்சிறாப்பள்ளி. }

(ஒப்பம்) டப்ளியூ ஜே காமெறன்,
கலெக்டர்.

29th September 1829.

நெ. 165.

ஸ்ரீரெங்கம் தேவஸ்தானம் டிப்டி பேஷ்கார் திருமலராவுக்கு,

என்னவென்றால், வெளிசூடு கொடுத்த நாச்சியார் கோவில் மறாமத்து வேலை பாக்கி நடக்க வேண்டியதற்கு மேஸ்திரி வந்து பார்த்துக்கொண்டுபோனதற்கு கணக்கு அசூரிலிருக்கிறதற்கு நகல் அனுப்பும்படியாய் உத்திரவாகவேணுமென்று நீர் எழுதிய 142வது நெ. அர்ஜி வந்தது.

அதுகாரியத்துக்கு நீர் எழுதியபடிக்கி கணக்கு நகல் தயார்செய்து இதிலடக்கமாய் அனுப்பியிருக்கிறோமாகையால் பாக்கி வேலையை அதிசீக்கிரத்தில் நடப்பிவித்து அது சங்கதியை ரிப்போர்ட்டுசெய்யவும்.

1829வரு செப்டம்பர்மீ 29உ }
மு. திருச்சிறாப்பள்ளி. }

(ஒப்பம்) டப்ளியூ ஜே. காமெறன்,
கலெக்டர்.

Tondaradipodi Alwar kovil
13th February 1833.

நெ. 36.

ஸ்ரீரெங்கம் வகைரா தேவஸ்தானம் பேட் பேஷ்கார் சுப்பா பிள்ளைக்கு,

ஜனவரிமீ 25உ அர்ஜியில் ஸ்ரீரெங்கம தேவஸ்தானம சுத்தக்கோவில் தொண்டரடிப்பொடி ஆள்வார் கோவில் பரிசாரகம வேலை பார்க்கிற ரெங்கய்யங்கார் யென்கிறவன் ௸ ஆள்வாருக்கு சாத்தியிருந்த 12வராகன் மதிப்புப்பெறுமான தாம்பிரத்தினபேரில் தங்கமுலாம் பூசின திருமணிதாவடம சோடி 1 திருட்டு கொடுத்தவிட்ட சங்கதிக்காக ௸யாளிடத்தில் வாங்கின வாக்குமூலத்தை அனுப்பியிருக்கிறதாக எழுதியிருக்கிறீர்.

அதுகாரியத்துக்கு ௸ தாவடம் ௸ ரெங்கய்யங்காருடைய அஜாக்கிரதையினாலே திருட்டு போனதை அவன் வாக்குமூலத்தினாலேதானே ஒப்புக்கொண்டிருக்கிறபடியினாலே ௸ தாவடம சோடி 1க்கு 12 வராகன் மதிப்புப்பெறுமான கிரயத்தை உடனே ௸யாளிடத்தில் வசூல்பண்ணி ௸ தாவடம் செய்வித்து ௸ ஆள்வாருக்கு சாத்தி அது சங்கதி அறிக்கை செய்யவும.

அதின்பேரில் ௸ பரிசாரகனுக்கும் ௸ ஆள்வார் கோவில் மிராசுதாரனுக்கும் தெண்டனைக்காக யோசித்து உத்திரவு கொடுக்கப்படும்.

1833வரு பெப்ரவரிமீ 13உ }
மு. திருமலவாடி. }

(ஒப்பம்) எச். எம். பிளெயர்,
கலெக்டர்.

Pullaloca Chariar Kovil
13th June 1834.

நெ. 229.

ஸ்ரீரெங்கம் வகைரா தேவஸ்தானம் பேட் பேஷ்கார் சுப்பா பிள்ளைக்கு.

என்னவென்றால, நீர் 249 நெ. அர்ஜியில் கேட்டுக்கொள்ளுகிறபிரகாரம் ஸ்ரீரெங்கம கோவிலைச்சேர்ந்த புள்ளலோகாசாரியார் ஆள்வார் சன்னதி மண்டபத்தில ஒடிந்துபோயிருக்கிற ஒரு

கல் உத்திரத்துக்குப் பதில் செனுதி துரஸ்துசெய்ய ஸ்தலத்தார் பரூசநபடடர் கேட்கிறபடி ப ழைய கல்மண்டபம் பிரித்ததில ஒரு கல் உத்திரம் கொடுக்கவும்.

ஆனல் அப்படி அவர் ஷை கல் உத்திரத்தை வாங்கிக்கொண்டு ஷை ஆள்வார் சன்னதி மண் டபத்தைப்பிரித்து துரஸ்து செய்கிறதில் இனி சர்க்காரிலிருந்து திருப்பணியாகும்படிசெய்யாம லும் ஷை மண்டபத்துக்கு யாதொரு பலஹீனமான ருத்தங்கள் சம்பவிக்காமல் சீக்கிரத்தில் இ த்தனைநாளைக்குள்ளாக ஷை வேலை பூறா செய்விக்கிறதாக ஷை பரூசநபடடரால் தகுமான ஜாமீ ன் வாங்கிக்கொண்டு அப்பால் கல் உத்திரத்தைக் கொடுத்து ஷை யாரைக்கொண்டு ஷை வேலை நடந்தேறும்படிக்கான சாக்கிரதை செய்யவும்.

1834 வரு ஜுன் மீ 13உ } (ஒப்பம்) எச். எம். பிளேயர்,
மு திருச்சிறுப்பள்ளி. } கலெக்டர்.

Sesharayer Mantapam
27th August 1832.

நெ. 203.

ஸ்ரீரெங்கம் தேவஸ்தானம் டிப்டி பேஷ்கார் சொக்கலிங்க முதலிக்கி.

என்னவென்றால், ஸ்ரீரெங்கநாத சுவாமியார் கோவிலைச்சேர்ந்த செஷராய மண்டபம ராம சுவாமி கோவிலுக்குதான் பாத்தியம அர்ச்சகன என்றும் ஷை கோவிலுக்காக நடந்துவரப்ப ட்ட கொண்டையம்பேட்டை கிராமத்திலிருக்கிற பொதுப்பு மானிய நிலத்தையும் ஷை தேவஸ் தானத்தில் கொடுத்துவருகிற யெண்ணை முதலான வருமானமும் தன் சுவாதீனப்படுத்தவேணு மென்று குப்பனையங்கார் என்பவன் உசூரில் பெட்டிஷன் கொடுத்திருக்கிருன்.

அதுகாரியத்துக்கு ஷை ராமசுவாமி கோவிலுக்கு ராமசுவாமி அய்யங்கார் எனகிறவன்பூசை மு தலானது செம்மையாய செய்யாமலும் தேவஸ்தானத்திலிருந்து கொடுத்துவிரப்பட்ட யெண்ணை யை விளக்குவைக்காமலும் ஷைகோவில் அபந்திரைசெய்து இருக்கிறதாயும் ஷைகோவிலுக்கு தான் பாத்தியஸ்தனைதால் பூசை முதலானது தான செய்துவரும்படியாயும் ஷை வருமானம் தன் சு வாதீனப்படுத்தும்படியாயும உத்திரவாகவேணுமென்று [illegible] த்திரி அய்யங்கார் என்கிறவனவந்து சொல்லிக்கொண்டதின்பேரில் அதுசங்கதியை விசார [illegible] லெழுதியபடிக்கி நடத்தி ருக்கிறதாய் தெரியவந்து தேவஸ்தானத்திலிருந்து கொடுத்த [illegible] யெண்ணையை ஷை ராமசு வாமி அய்யங்கார்வசம் கொடாமல் சேஷாத்திரி அய்யங்கார்வசம் கொடுத்து ஷை கோவிலுக்கு விள க்குவைத்து பூசையும் செய்து வரும படி திட்டப்படுத்தச்சொல்லி போன 31 வரு அகஸ்டு மீ 12உ யில் உமக்கு உத்திரவு அனுப்பியிருக்கிறதல்லவா அப்படியிருக்க இப்போது ஷை குப்பனையங் கார் தான் ஷை கோவிலுக்கு அர்ச்சகன் என்று சொல்லவிட்ட வயனமென்ன ஷை ராமசுவாமி கோவிலுக்கு பாத்தியமான அர்ச்சகன் எத்தனைபேர், அவாளுடைய பேர் என்ன, அதில் ஷை குப் பனையங்காரும் சேர்ந்தவனு அல்லது வேராயா, இதுசங்கதியை நீர் செம்மையாய் விசாரணைசெ ய்து விபரமாய் அறிக்கைசெய்யவும்.

1832 வரு அகஸ்டு மீ 27உ } (ஒப்பம்) எச். எம். பிளேயர்,
மு திருச்சிறுப்பள்ளி. } கலெக்டர்.

9th January 1835.

நெ. 11.

ஸ்ரீரெங்கம் வகையரு தேவஸ்தானம் டிப்டி பேஷ்கார் சுப்பாபிள்ளைக்கி,

என்னவென்றால், ஸ்ரீரெங்கம் செஷராய மண்டபத்துக்குள்ளிருக்கிற கோதண்டராமசுவாமி கோவில பரிசாரக மிருசு சங்கதியைக்குறித்து தகரார்ப்பட்டமித்தம் ஷை கோதண்டராமசுவாமி கோவில் பரிசாரகம் ராமசுவாமியய்யங்கார் 1831ம் வருஷம் அக்டோபர் மீ 16உ யில் அசூரில் பி ரூது கொடுத்ததாக தெரியவருகிறது. அதை உத்திரவுப்படிக்கி முன் டெபுடி கலெக்டராயிருந்த செல் லப்பமுதலியார் ஷை கோவிலுக்குப்போய கண்பார்த்து விசாரணைசெய்து 5 வாக்குமூலங்களு டனே ஷை வருஷம் ஷை மாசம் 26உ யில் அசூருக்கு ரிப்போர்ட்டு செய்திருக்கிருர். இதல்லாமல் [illegible] பரிசாரக மிருசு ராமசுவாமியய்யங்காரும் அர்ச்சக குப்பனையயங்காரும் 33ம் வருஷத்தில் அ[illegible] கதியைக்குறித்து மறுபடியும் அசூரில கொடுத்த பிருதை ஷை வருஷம் செப்டம்பர் மீ 24[illegible] சாப்பு சிறஸ்தா செல்லப்பமுதலியார் பேரால் சன்னதும் ஷை பெட்டிஷன் இரண்டும் அ[illegible] ருந்ததை அவர் விசாரித்து சில வாக்குமூலங்களுடனே 34ம் வருஷம் ஜுலை மீ 3உ யில் [illegible]

விபரமாய் ரிபோர்ட்டுசெய்திருக்கிறார் ஷை. தஸ்தாவேசும் அதிலடக்கமாய்வந்த ராமாநுஜய்யங்கார் குப்பனய்யங்கார், ராமாநுஜய்யங்கார், வெங்கிடடறெங்கய்யங்கார், ராமசுவாமிய்யங்கார், குட்டி சாஸ்திரி இவர்களுடைய வாக்குமூலங்களையும் பரிசோதித்துப்பார்த்ததில் ஷை சேஷராயர்மண்டபத்திலிருக்கிற கோதண்டராமசுவாமி கோவிலுக்கு சப்தபிராகாரத்துக்குள்ளிருக்கிற சுத்துக் கோவில் ஒப்பந்தம் பரிசாரகர்களுக்கே மிராசு என்கிறதாய்த்தானே தெரியவருகிறதும்தவிர அர்ச்சகர்களுக்கு மிராசு என்று சொல்லப்பட்டது நிசமாய்க் காணப்படவில்லை. ஆகையால் உமக்கு உத்திரவு செய்திருக்கிறதாவது ஷை கோதண்டராமசுவாமி கோவில் திருவாபரணம் பாத்திரம் முதலானதும் கோவில் பூட்டு சாவியும் வைத்திருக்கிற பரிசாரக மிராசு ராமசுவாமிய்யங்கார் சுவாதீனத்தில் தானே இருக்கும்படியாயும் ஷை கோவிலுக்கு நித்தியப்படியில் வைக்கப்பட்ட திருவிளக்கு வெண்ணை முதலாகியது திட்டப்பிரகாரம் ராமசுவாமிய்யங்காரிடம் கொடுப்பிக்கிறதும்தவிர ஷை கோவில் பிளக்கண்ட நந்தவனமும் அதினுடைய வருமானமும் ஷை ராமசுவாமிய்யங்கார்தானே அனுபவித்துக்கொண்டு ஸ்ரீராமநவமி உற்சவம் ஷை கோதண்டராமசுவாமியாருக்கு நடப்பிவிக்கும்படியாய்த் திட்டம்செய்து அதுசங்கதி அறிக்கைசெய்யவும். பின்னும் ஷை கோவிலுக்கு லால்குடி தாலூகா கொணலையாம்பட்டை கிராமத்திலிருக்கிற சேஷராயன் திருநிலமான்யம் காணி 1 குழி 77½ யும் அர்ச்சக குப்பனய்யங்காருக்கு ஒத்தியென்கிறதாய் சொல்லப்பட்ட சங்கதியைக்குறித்தும் ஷை நிலத்துடைய மேல்வார மானியம் ஷை கோவில் பூசை கட்டளைக்கு சேரவேண்டியதைக்குறித்தும் ஆலோசித்து உத்திரவு அனுப்பப்படும் அறியவும்.

1835௵ ஜனவரி ௴ 9௳) (ஒப்பம்) —————
மு. திருச்சிறாப்பள்ளி.) H. A. C.

Decree in O. S. 874 of 1873.

12th *June* 1875.

திருச்சிறாப்பள்ளி வகைரா டிஸ்திரிக்ட்டு முன்சிப்கோர்ட்டு திருமலாசாரியார் முன்பாக 1873ம் வருஷம் நெ. 874.

திருச்சிறாப்பள்ளி தாலூகா ஸ்ரீரெங்கம் தெற்குச் சித்திரைவீதியிலிருக்கும் முதல் திருமாளிகை ஸ்ரீநிவாச தாத்தாசாரியார் குமாரன ஸ்ரீரெங்காசாரியார் என்கிற தாத்தாசாரியார் குரு பீடம். } வாதி.

வைக்கீல் செல்லமய்யங்கார்.

ஷையூர் வடக்குச் சித்திரைவீதியிலிருக்கும் புள்ளைலோகாசாரியார் கோவில் பரிசாரகம் பெரியப்யங்கார் 1. ஷையார் குமாரர்கள் ரெங்கய்யங்கார் 2. ஆராமுது அய்யங்கார் 3. கோவில் பரிசாரகம் } பிரதிவாதிகள்.

1, 2, பிரதிவாதிகள் வைக்கில் சாமிஅய்யங்கார்.

1. வாதி கோவிலின் சுவருக்கும் பிரதிவாதிகள் கோவிலின் தோட்டத்துக்கும் மத்தியில் சந்தாயிருக்கிற ஒரு துண்டு நிலத்தின தென்புறத்தில வேலிகளெடுத்து பூமியை சுவாதீனப்படுத்தி அதை அனுபவிக்க வாதிக்குள்ள பாத்தியத்தை ஸ்தாபித்து தீர்ப்புசெய்யவேணுமென்று இவ்வழக்கிடப்பட்டிருக்கிறது.

2. தாவாவைத்தள்ளி பிரதிவாதிகளின் சிலவை வாதி கொடுக்கும்படி தீர்ப்பு செய்யப்பட்டது.

பிரதிவாதிகளுக்கு வாதி கொடுக்கவேண்டியது. வாதி இழுத்த சிலவு

	ரூ.	அ.	பை.		ரூ.	அ.	பை.
அச்சுக்கிறயம்	2	6	0	அச்சுக்கிறயம்	11	12	0
கட்டளைப்படி	4	[illegible]	0	கட்டளைப்படி	3	8	0
[illegible] பீஸ்	7	1	10	வக்கீல் பீஸ்	7	1	10
	13	11	10		22	5	10

75 வருஷம் ஜூன் ௴ 12௳. (ஒப்பம்) எம். எ. திருமலாசாரியார் என்று இங்கிலீஷில் சயின் செய்யப்பட்டிருக்கிறது.

அசலுக்குச் சரியான நகல்.
(True Copy)
(Signed) M. A. THIRUMALACHARIAR,
District Munsif

97

(Judgment in O. S. No. 874 of 1873. District Munsiff's Court, Trichinopoly)

In the District Munsiff's Court of Trichinopoly.

PRESENT M. A. TIRUMALACHARIAR District Munsiff.

O. S. No. 874 of 1873.

12th June 1875.

1. This is a suit for a declaratory decree adjudging the Plaintiff's right to a piece of ground forming a lane and lying between the wall of the plaintiff's Pagoda and the garden of the Defendant's Pagoda and to enjoy the same on raising fences on the south and levelling the soil. The Plaintiff avers as follows:— The Pagoda of Kothanda Ramaswami inclusive of the lane in question, the backyard, flower garden &c., attaching thereto, as well as the Paricharaka office thereof, were sold to the Plaintiff by Srirangam Aiyavaiyangar, to whom they belonged, under a registered deed of sale for Rs. 700 dated 24th September 1873. The Plaintiff having since levelled some portion of the ground in question and begun to raise a fence on the southern side the Defendants 2 and 3 obstructed the same and asserted that the lane in question is theirs. Hence this action.

2. The 1st Defendant contended that Aiyavaiyengar who is said to have made the sale to the Plaintiff, had no right to the Kothanda Ramaswami Pagoda, its flower gardens and Nanjah land; and the Plaintiff therefore derived no title thereto from him, that the deed of sale sued upon is invalid as the Pagoda &c., above mentioned belonged to Sre-Renganatha swami Pagoda which vests in the Thengalai Stalatars of the latter pagoda; that the ground in question forms part of the ground in his possession and belonging to the Kovil (shrine) of Pullalocachariar and that this suit is not maintainable.

3. The following issue was recorded by my predecessor.

(1.) Whether the lane in question belongs to Ramaswami Pagoda or not.

4. An additional issue was framed by me as being material with reference to the pleadings in this suit for a declaratory decree.

Whether the Plaintiff is entitled to bring this action upon the deed of sale A.

5. A local inspection was made by me at the desire of the parties and the Plaintiff's vakil has been examined.

6. The Plaintiff's vakil admits as shown by the document 1 that Ramaswami Pagoda with the ground wherein it stands and the buildings &c., attaching thereto belong to Renganathaswami Pagoda, the Plaintiff having no right either to remove the idol or any portion of the materials of the building out of the latter Pagoda, or to appropriate them to himself and that the right of the Plaintiff extends to the performance of the duties of the religious offices of Archaka (worshipper) and Paricharaka (servant doing menial work necessary for the worship as washing utensils &c.) The Plaintiff's vendor is said to have had no more than this title of Archaka and Paricharaka. The title to receive the profits fixed as remuneration for the said services accompanies no doubt the performance of the services. But these offices cannot empower the holder to sell away absolutely, the whole Pagoda with its site, buildings, garden and manyam land &c., inclusive of the minerals &c., underground, as the deed of sale A purports to be for. Neither this deed A nor the plaint contains a single word of qualification, showing that the Pagoda forms part and parcel of Renganathaswami Pagoda although when examined by the Court the Plaintiff's vakil could not but admit this fact.

The expression used in the plaint and the deed A are mainly the following.

" *Kothanda Ramaswami Pagoda* its Puja and Paricharaka miras, the *flower garden &c.*,

attaching thereto, the manyam lands (specified) allotted for the Puja of the said swami, the profits (specified) receivable from Renganathaswami Kowil *belonging to us* and enjoyed by our ancestors and ourselves are absolutely sold for Rs. 700; and therefore the said Pagoda land miras rice, ghee, oil and other profits shall be enjoyed. And the appropriation thereof being made for the Puja &c., of the said swami shall be held (by the purchaser) as long as the sun and moon shall last in a regular succession of sons and son's sons *with an absolute power of alienation by sale, exchange, gift &c., of the whole property inclusive of the riches, hidden treasures, water, trees, stones &c., attaching thereto.*"

Such an absolute alienation of the endowment of Kothanda Ramaswami Pogoda which further does not at all belong to the Plaintiff, but to the Renganathaswami Pagoda of which like the several other sub-temples situate within it, it forms an inseparable portion, cannot but be regarded as a flagrant violation by the plaintiff's vendor, of all laws and as an impudent endeavour on the part of the vendor and vendee, to convert trust property so as to defraud even the actual trustees of the Renganathaswami Pagoda. The decision of the High Court (Volume VII. page 210) has settled that a religious office cannot be made the object of sale; that materials used in religious worship by all systems of law and by the Hindu Law almost more emphatically than by any other, are absolutely *extra commercium* and that even the trustees of a Pagoda are not at liberty to alienate trust property subject to all trusts attaching to it. In Regular Appeal No. 140 of 1872 (Vide volume VII of the Madras High Court Reports pages 267-71) it has been subsequently held with reference to a question of the assignment of Durmákurta-ship, that as the document sued upon, made the Plaintiff merely an agent, the claim was sustainable and that *if it professed to transfer rights of trusteeship, it would be invalid.* The ground and buildings of the Ramaswami Pagoda are therefore clearly not saleable and this suit for the ground based upon its illegal transfer under the deed of sale A must at once fail of success; and the proper parties to sue for the same are the trustees of the Pagoda.

Furthermore even according to the view of the Plaintiff no title passed to him from his vendor, since the deed of sale, on which the latter relied for his title and which was delivered to the Plaintiff on the execution of A as this deed purports, was itself nullified by the undisputable decision II and III pronounced in the suit No. 723 of 1848, which was brought upon it by the father of the Plaintiff's vendor. The Appellate Court which confirmed the original decision, dismissing the claim of the Plaintiff therein declared at the close of para 16 of its Judgment (vide III) that the sale is void. Thus the present claim upon a title which did not exist from 24th December 1849 the date of the original decree (II, cannot be sustained by the Court.

7. The Plaintiff's vakil argues that title need not be enquired into there being long possession upon which the relief can be granted. This argument cannot be of any force in the face of the decision of the High Court of Madras reported in Volume II page 171 which lays down that the person, seeking for a declaration of title as owner, is bound to establish his title affirmatively the burden of proof resting upon him as in any other form of action. Again even if the Plaintiff wants to have this right established as an easement resulting from long possession and giving him the exclusive use of the ground in dispute as the sole passage for sudra servants to go to the flower garden of the Kothanda Ramaswami Pagoda (which is clearly not supported by the wordings of the plaint and by the purchase under the deed A) he has no leg to stand on this right at present, since it is evident from the statements of the Plaintiff's vakil and local inspection that the Plaintiff of his own act brought the easement to extinction by opening a fresh passage for sudra servants to the flower garden at A. A and an other inner passage thereto for Brahmins at Y, thereby dispensing with the necessity there was to pass through; the disputed ground is not used as such passage for flower garden.

8. Another ground in connection with the 2nd issue on which this suit is unsustainable is that nothing more than a denial by words, on the Defendant's part, of the alleged title of the Plaintiff, is stated by the Plaintiff's vakil to have occurred and to have been the cause of this action under the decision of the Madras High Court Volume VI, pages 307-310; the said circumstances alone cannot give the Plaintiff a claim to seek for a declaratory decree.

9. For all these reasons i.e. 1stly that the deed of sale A is invalid 2adly that there had been no title in the Plaintiff's vendor to be conveyed, 3rdly that there is no sort of right in existence for Plaintiff upon which the relief sought could be given and 4thly that the material elements for the institution of a suit for a declaratory decree are nonexistent in this case; the 2nd issue is found against the Plaintiff.

10. The said finding obviates the necessity for the decision of the 1st issue.

Nevertheless the local inspection made and the document I admitted on both sides cannot lead to a determination of the issue in the Plaintiff's favour. This document of Fasli 1244 passed when this dispute had no origin and coming from proper custody the Collector's Office is of more value in my opinion than any which is attachable to the oral statements of a number of witnesses, which the parties may be able to produce. The Plaintiff's vakil states in his deposition that the disputed ground formed as a lane between the northern wall of the Plaintiff's Kothanda Ramaswami Pagoda and another wall which existed throughout to the north of the Pullalocachariar's flower garden, for more than 100 years past. Were this true the document I which describes the flower garden of the Pagoda in the Defendant's possession as lying to the south, would have spoken of it expressly as situate to the south of the lane, and the words in I to the south hereof are construed by me as meaning to the south of the Kothanda Ramaswami Pagoda which ends with the wall to the north of the disputed ground. The inspection of the spot cannot lead to a contrary inference.

The measurement made of the Pullalocachariar's flower garden in the Defendant's possession, with the admitted pagoda bamboo, representing a Kol in the direction of S. T. carries the three Kols (mentioned in I as the extent in the direction of south to north) beyond the line of the wall J. W. This shows that there must have been no wall in existence in Fasli 1244 in the line of J. W. throughout (vide the Court plan.) As no witnesses have been adduced touching the use of this disputed ground and as the determination of the 2nd issue in the negative renders the same unnecessary, I will refrain from deciding the issue. The Court for the reasons above mentioned dismisses the Plaintiff's claim and adjudges the Plaintiff to pay the Defendants' cost.

(Signed.) M. A. TIRUMALACHARRY,
District Munsif.

True Copy.

(Signed) T. GANAPATHY,
District Munsif.

APPEAL JUDGMENT.

APPEAL SUIT NO. 146 OF 1875.

In the District Court of Trichinopoly.

PRESENT E. F. WEBSTER Esquire, District Judge.

1 The Plaintiff brought this suit for a declaration of his right to a piece of ground.

2 It is set out in the Plaint that the land in question forms part of the property belonging to the Kothanda Ramaswami Pagoda which was sold to Plaintiff for 700 Rs by one Srirangam Aiyavaiengar on the 24th September 1873 and that when Plaintiff commenced to level the land in suit and to fence it in, the 2nd and 3rd Defendants obstructed him and claimed the land as their property.

3 The 1st Defendant pleaded that Aiyavaiengar had no estate in this land or in the Pagoda to which it is attached and that Plaintiff therefore derived no title from him in the bill of sale (A) on which he relies, and he further stated that the land in suit belongs to the Sri Runganadaswami Pagoda and forms part of the shrine of Pullalocachariar.

4 The Munsif recorded the following issues.

Whether the lane in question belongs to Ramaswami Pagoda or not.

Additional Issue

Whether the Plaintiff is entitled to bring this action upon the deed of sale. (A)

5 The Munsif dismissed the suit with costs, and the Plaintiff appeals.

6 I am of opinion that the Judgment of the Munsif is right and should be affirmed.

7 It is conceded that Plaintiff's vendor was no more than a servant in the Pagoda whose duty it was to attend to the proper performance of ceremonies in the Pagoda and to the cleansing of utensils, and this being so it is clear that he had no power to dispose of the temple and its lands by sale to the Plaintiff and upon this ground alone the appeal should in my opinion be dismissed. It further appears that the person from whom Plaintiff purchased this temple and its surrounding lands was himself a purchaser of the property and that the sale was declared void in judgment passed in original suit No. 723 of 1848.

8 I therefore dismiss this appeal and affirm the Munsif's decision with costs.

Trichinopoly District Court. 10th July 1876. (Signed) E. F. WEBSTER, *District Judge.*

99

Index to some of the principal matters in part I.

Page.

ALAWANDAR. Thirunakshathiram Honours claimed and refused in O. S. 362 of 1885 Tr. Ad. Munsiff's Court. 112

ARIVITTAN GATE. Orders about Vadagalais entering the ——, ... 9, 24

CALENDER OF CASES. Decided by the Magistrate of Trichinopoly.
- c. c. No. 1. of 1850. Judgment in ——, (Roya Gopuram Tiruman Dispute) 44
- c. c. No. 89 of 1863. Judgment in ——, (Stone Tiruman in Nadamuni Temple) 67
- c. c. No. 9 of 1874. Complaint in ——, (Nadamuni and Vedanta Chariar wearing Vadagalai mark in procession) 72
  - Judgment in do. — do. 79
- c. c. No. 100 of 1874. Judgment in ——, (Vellai Gopuram Tiruman) 173
- c. c. No. 155 of 1880. Judgment in ——, (Sukaravara Tope Tiruman) 175
- c. c. No. 8 of 1881. Judgment in ——, (Paramapatha vasal Tower Tiruman) 177
- c. c. No. 16 & 17 of 1881. Judgment in ——, (Dhanmantri Tiruman) ... 124
- c. c. No. 30 of 1883 Judgment in ——, (Iyal) ... 58

DECREE in O. S. No. 130 of 1808. Trichinopoly Court. (The rights and privileges of the Tengalais) 1
- Ordered to be strictly observed. 6. 7. 8. 9. 11. 12. 13. 15. 16 17. 18. 19. 20. 23. 24. 26. 29. 34. 35. 36. 42.
- Proceedings in execution of — 26. 27. 30. 32
- Tengalais referred to Civil suit by Magistrates notwithstanding — on the ground that the duty of the Magistrate is simply to preserve peace and not to enforce or establish rights ... 29. 30. 35 to 41, 49. 50. 51.
- in O. S. No. 82 of 1825. Kumbakonam Court. (Vedaparayanam)— .. 13, 16
- in O. S. No. 75 of 1851. Trichinopoly Court (Damages by Sathanies) ... 46
- in Sp. A. No. 100 of 1855. . . . (do do.) ... 48
- in O. S. No. 874 of 1873 Trichinopoly Munsiff's Court (Ramaswamy Kovil) 182
- in O. S. No. 18 of 1875 Coimbatore Court (Nadamuni Alvar) 110
- in R. A. No. 21 of 1875. High Court (do. do.) 111
- in R. A. No. 108 of 1877 High Court (Vedanta Chariar) 157

DHANMANTRI. ... ...
- Report in 1863 that the Vadagalai Tiruman in front of —— temple is a new one. ... 119, 120
- Magistrate's order to the Tahsildar not to interfere in the matter ... 122
- Plaint in O. S. 1 of 1864, claiming the Temple as a private property ... 122
- Judgment in O. S. 1 of 1864, dismissing the suit ... 123
- Judgment in c. c. Nos. 16 & 17 of 1881 dismissing the complaints of the Vadagalais and Tengalais 124
- Review petition by the Tengalais ... 125
- ——Rejected 126
- Revision petition in the High Court in the said matter ... 127

IYAL ... ... 51 to 62

JUDGMENT in O. S. 1 of 1864 Trichinopoly Court (Dhanmantri Kovil) ... 123
- in O. S. No. 874 of 1873 Trichinopoly Munsiff's Court (Ramasawmy Kovil) 183
- in A. S. No. 146 of 1875 Trichinopoly District Court (do. do.) ... 185
- in Cr. Ap. 8 of 1874 Trichinopoly Session Court (Mr. Webster's) ... 97
- in O. S. No. 14 of 1875 Coimbatore Court (Vedantachariar) ... 143
- in R. A. 19 of 1876 High Court (do. do.) ... 147

Page.

in O. S. No. 18 of 1875 Coimbatore Court (Nadamuni) ... 111, 143
in R. A. No. 21 of 1875 High Court (do. do.) ... 147
in O. S. 4 of 1877 Comibatore Court (Vedantachariar) ... 152
in O. S. 362 of 1885 Tr. Ad. Munsif's Court (Alavandar and Nadamuni Kovil) 112

KANIAKSHI in Sena Mudaliar temple ... 5. 6. 7. 8. 9
See further *Manyams &c.* ... 10

MANYAMS Mirasis and Oolyams are inalienable ... 10

NATHAMUNI ALWAR.
(1.) *Kavi* Vadagalai Tiruman in front of the ——Kovil ordered to be removed——Magisterial Proceedings ... 63, 64
In the Sessions Court ... 65
In the High Court ... 66
(2.) *Stone* Vadagalai Tiruman in front of the —— Kovil
Magisterial proceedings ... 67
In the Sessions Court ... 68
In the High Court ... 69
(3.) Should not be brought out in procession with Vadagalai Mark on the forehead.
Magisterial proceedings ... 79, 90
In the Sessions Court ... 97
In the High Court ... 102, 103
In the Government ... 103
(4.) Plaint by Vadagalais in the Civil Court, Trichinopoly, to set aside the above order of the Magistrate ... 104
The said plaint rejected ... 105
Memo of Appeal in the High Court against the said order rejecting the plaint (R. A. 6 of 1876) ... 106
The said appeal (R. A. 6 of 1876) dismissed ... 147
(5) Plaint by Vadagalais (in O. S. 18 of 1875 Coimbatore Court) claiming certain honours as due to, and the right to carry out, the Alvar with Vadagalai Mark and insignia ... 107
Decree in the said O. S. 18 of 1875, Dismissing the suit ... 110
Judgment in the said O. S. 18 of 1875 ... 111, 143
Decree in R. A. 21 of 1876 H. C. against the above decree ... 111
Judgment in R. A. 21 of 1876 H. C. ... 147
(6) Judgment in O. S. 362 of 1885 Tr. Ad. Munisiff's Court, in which suit Nadamuni Temple was claimed as private property & Thirunakshathiram honours were claimed for Alawandar ... 112

RENGANATHASWAMI TEMPLE is a *Tengalai* Temple.
1. Decree in O. S. No. 130 of 1808 ... 1
2. The various proceedings in which the terms of the said decree were confirmed. See. *Decree in O.S. 130 of 1808*
3. Proceedings of the Collector Trichinopoly & the Provincial Court of appeal ... 30 & 32
4. Mr. Blair's (Collector's) Sannad dated 21 Nov. 1835 ... 131
5. High Court Judgment in Cr. Pet. 20 of 1864 (which rules that putting up a *Vadagalai* Mark anywhere within Srirangam is an offence) ... 69
6. Mr. Pennington's Judgment dated 28 March 1874 para 86 ... 89
7. Mr. Kindersley's Judgment in O. S. 4 of 1877 para 14 ... 135
8. Mr. Pennington's Judgment dated 7 September 1874 para 21 ... 175
9. Mr. Martin's Judgment dated 9 November 1880 ... 175

SATHANIES — Mirasi rights of—— infringed ... 42, 43, 44

Page.

SUB-TEMPLES and mantapams in Srirangam, all belong to Renganathaswami

1. Mantapam in front of Ayanar Temple ... 179
2. Velisndikudutha Nachiar Kovil ... 179, 180
3. Tondaradipodi Alwar Kovil ... 180
4. Pullalocachariar Kovil ... 180
5. Sesharayar Mantapam Ramaswami Kovil ... 181 to 186
6. Dhanmantri Kovil ... 123
7. Nadhamuni Kovil paras 12 to 15 ... 116

Se Also *Decree in O. S. 130 of 1808* 1

TIRUMAN

Tengalai — should be placed on the Kite vehicle presented by Agobala Jeer after it is taken into the Temple 160

Tengalai — in front of Vedanta Chariar Kovil erased by Vadagalais 129

The same ordered to be replaced 131

Tengalai — on the forehead of Vedanta Chariar being changed, the Alwar was not paid his honours 133

Tengalai — List of all, in the Temple ... ... 163 to 171

Tengalai — placing, in Sukravara Tope Mantapam is no offence ... 175

Tengalai — placing, in Vellai Gopuram is no offence 173

Tengalai — repainting and even enlarging, in Parmapathavasal Tower is no offence 177

Vadagalai *Kavi* — in front of Nadamuni Alvar Kovil removed 63, 64, 65 and 66

Vadagalai *stone* — in front of do. do. Proceedings in respect of 67, 68, 69, 70

Vadagalai — should not be placed on Nadamuni and Vedanta Chariar when they are brought out in procession ... 79 to 103

Vadagalai — putting of, in any place within Srirangam is strictly prohibited and is an offence ... 67, 70, 71, 94, 95

Vadagalai — no idol should be brought out in procession with, on its forehead 71, 94, 95

Disputes about — in front of Dhanmantri Temple ... ... 119 to 127

VEDANTACHRIAR

(1) Is of the *Tengalai* Sect 129

(2) Tengalai Tiruman in front of Vedanta Chariar Temple erased by the Vadagalais 129

Report of the Peishkar that the said Tengalai Tiruman had been of long standing 130

The said Tengalai Tiruman ordered to be replaced 131

(3) Peishkar's report about Vedanta Chariar having been brought out with Vadagalai namam on his brithday in procession 133

Order that matters should go on according to mamool and to established decisions 138

(4) Ordered not to be brought out on the Deepavaly day contrary to mamool in respect of the mark on the forehead ... 139

(5) Should not be brought out in procession with Vadagalai mark on its forehead

Magistrate's decision 79
Sessions Court do. 97
High Court do. 103
Government. do. 103

(6) Plaint by Vadagalais to set aside the above decision 104

The said plaint rejected 105

Appeal memo against the order rejecting the plaint (R. A. 6 of 1876 H. C.) 106

The said appeal dismissed 147

Page.

(7) Plaint by Vadagalais (in O. S. No. 14 of 1875. Coimbatore Court) claiming certain honours as due to and the right to bring out with Vadagalai mark and insignia the said Vedantha Chariar 140
Judgment in O. S. 14 of 1875 *dismissing the suit* 143
Judgment in R. A. 19 of 1876 (appeal against the above decree) 147
(8) Second plaint (in O. S. 4 of 1877. Coimbatore Court) claiming the same right and honours 149
Decree in O. S. 4 of 1877 dismissing the suit 151
Judgment in O. S. 4 of 1877 152
Appeal against the above decree 156
The said appeal dismissed (in R. A. 108 of 1876) 157

VEDAS—Vadagalais should not recite ... ... 13, 17, 18, 19, 20, 51, 52.

121

PART II.

Of the Management of the Temple.

The history of the management of the Temple is clearly given in the Judgment in O. S. No. 7 of 1882, of the Trichinopoly District Court, (Vide post pp. 53 to 55). It will be seen from the documents printed in the following pages that from the time that the British Government assumed charge of the religious institutions in the District (i. e. from 1801) they continued to exercise their control over them till the year 1842 (vide p. 2 para 17) and the affairs of the temple were conducted by the hereditary stalattars of the place (vide p. 6 para 22). In 1842 the Government handed over the management into the hands of three trustees 1. Krishna Row, 2. Chandrasakaram Pillay and 3. one of the stalattars of the place to do duty in rotation every year along with the other 2 trustees (vide document dated 12th October 1842 p. 13). Annangar, one of the stalattars was removed from the Committee of Dharmakartas by the Collector by his order of the 21st November 1842 and the remaining four were afterwards doing duty by rotation one in each year in conjunction with the other two.

Krishna Row died soon after his appointment and then no successor being nominated to him, Chandrasakarum Pillai and the 4 stalattars were managing the affairs until the death of the former in September 1845. The question as to who was to appoint to the vacancies that might occur in the office of Dharmakartaship was long left undecided, the Collector's recommendation in the matter, namely, that the remaining trustees should appoint one to act with them, not being approved of by the Board. On an order of the Collector dated 26th November 1844 that he "has no power to interfere in the appointment of the trustees which rests entirely with the Dharmakarthas of the pagodas" the one remaining Stalattar-Trustee in 1845 appointed Kanjamalai Mudaliar and Ramasami Mudaliar in the place of the 2 vacant trustees and the mohini allowances were ordered to be given out to them on their receipt (vide p 15). By his order of the 15th December 1845 the Collector removed Ramasami Mudaliar from the Committee of trustees and on an application presented to him by the people at large on the same date for permission to hold a meeting for electing trustees for the vacant posts, the Collector granted the permission sought and ordered the community at large to report to him the names of those elected (vide p. 18.)

M. Verasami Iyer and Kanjamalai Mudaliar were elected Dharmakarthas in the meeting then held by the community and their names being reported to the Collector on the 18th December 1845 (p. 19) they were confirmed on the 24th December 1845. Uthamanamby, the Stalattar-Trustee, was to have acted with these two from that date for one year according to the original arrangements; but the Collector refusing to allow the other Stalattars to succeed to the trust by rotation at the expiry of his term of one year, he continued to do duty with the other trustees till February 1849 when the then Collector reverted to the original arrangement and let in the other stalattars to do the duties of trustees by rotation. Kanjamalai Mudaliar resigned his office in December 1848 and his brother Balasubramania Mudali was elected by the community to fill his place. So in the begining of 1849, M. Verasami Iyer and Balasubramania Mudali were managing the affairs along with one Stalattar-Trustee. In the begining of 1849 the Collector in whose absence Balasubramania Mudali was appointed and the Stalattar-Trustees were let in to do duty by rotation, returned to the District and for reasons set out by him in his letter to the Board, dated 18th May 1849 (vide paras 13 and 14 at p. 23post) he removed both Verasami Iyer and Balasubramania Mudali from the office of trustees and on the recommendation of the Stalattars, appointed Raja Bahadur Rengasami Iyengar and Sivagurunada Pillai in their stead. This was early in 1849 but in 1850 on the recommendation of the then Collector of the District that these 2 persons should be at once removed from their office as the community at large were not satisfied with their appointment and as their continuance in office had tended and would tend in future to serious disturbances

of the peace the Government ordered through the Board that these two men appointed in 1849 should be at once removed and the management should be replaced in the hands of M. Verasami Iyer and Balasubramania Mudali, to act in conjunction with one of the Stalattars who are to succeed to the Trust by rotation (vide p. 32). Balasubramania was succeeded on his death in 1863 by his son Periasami Mudaly who was trustee till June 1881 when he died and was succeeded by his brother Rutna Mudali (now doing duty). Verasami Iyer died in 1867, and Ethurajulu Chetty was appointed in his stead in March 1867. Kodyalam Rengasami Iyengar was appointed to succeed him in November 1863 and on his death in November 1883, he was succeeded by Venkatasa Tawker (now doing duty.)

The question as to who was to appoint to the place of vacant Dharmakarthaships was long left unsettled. When the management was transferred to the hands of the trustees the Collector recommended to the Board that the remaining trustees might be empowered to appoint one to act with them and in the Hukumnama dated 12th November 1842, it was expressly so provided, (vide p. 13). but the Board did not approve of it Sometimes this power was exercised by the community of the people at large who were interested as worshippers in the temple and sometimes by the Collector on the recommendation of the stalattars. The correspondence between the Board of Revenue and the Collector on this subject will be found in pp. 17 to 32 (post) and the result was that no settled conclusion was come to by the Board in 1850 (p. 31 para 4). The question came before the Court of Sadr Adalut in 1861 in A. S. 13 of 1860 and the Court then confirmed the provisions of the Hukumnama of the 12th November 1842 in this matter.

Then came the Temple Committees in 1863 and in O. S. No. 54 of 1870 and in A. S. Nos. 9 & 26 of 1873 on appeal from the same, the Civil Court and the High Court respectively held that this temple came under section 3 of Act 20 of 1863 and that the committee appointed under that Act had therefore power to appoint trustees to the temple.

In a subsequent judgment dated 8th February 1884 the High Court have distinctly settled the point once for all by saying that the Hukumnama of the 12th November 1842 was not confirmed by the Revenue Board so far as its provisions in this respect were concerned and that the temple committe appointed under the Act of 1863 had full power to appoint to any vacancy that might take place in the post of the Dharmakarthaship.

102

Chronological List of the Documents.

1818	June	17	Letter to the Board
1828	February	14	do do
1841	August	26	Board to the Collector.
1842	February	22	Collector to the Board
1842	March	22	Petition to the Board
do	June	30	Endorsement threon
do	May	23	Board to the Collector
do	July	29	Collector to the Board
do	October	6	Board to the Collector
do	November	12	Hookumnama
do	do	21	Order to Dharmakartha
1844	November	26	Collector's order.
1845	October	6	Collector's order
do	November	21	Annangar refused the Dharmakarthaship
do	December	8	Board to the Collector
do	do	5	Collector's Register
do	do	8	Petition by the Committee
1849	April		Collector's order to Tahsildar
do	do	6	Stalattar to the Committee
do	do	12	Board to the Collector
do	October	27	Collector's Register
1850	January	10	Collector to the Board
do	do	19	do do
do	do	23	Board to the Collector
do	February	8	Government order
do	do	11	Board's proceedings
do	April	23	Collector's order
1861	September	14	Judgment in A. S. 13 of 1860
1870	October	18	Plaint in O. S. 54 of 1870
1872	October	26	Decree in O. S. 54 of 1870
do	do		Judgment in O. S. 54 of 1870
1873	January	13	Appeal Petition in R. A. 9 of 1873
do	March	10	Memo of objection in do
do	May	12	Decree in the above 2 appeals
do	do.		Judgment in do
1877	October	16	Annangar's Appeal Judgment in R. A. 56 of 1877
1883	January	31	Judgment and Decree in O. S. 7 of 1882
1884	February	8	Judgment and Decree in A. S. 89 of 1883

17th June 1818.

To

THE SECRETARY TO THE BOARD OF REVENUE,
FORT SAINT GEORGE.

Sir,

Para. 1. As a considerable period must elapse before the several heads of information and statements required by the Board can be prepared, I have deemed it advisable to report separately on the Devastanam management of the principal Pagodas in this District rather than wait for the voluminous accounts and documents called for in your letter of 29th November last.

2. I feel more inclined to adopt this plan because it will not only require a separate establishment but also the greatest diligence to be able to furnish the information within the current year. I am myse f so much at present occupied by the Jammabundy that I have been obliged to request my Assistant Mr. Philips to collect the necessary information of the smaller Pagodas, and whose report when completed I shall do myself the honor of forwarding to the Board.

3. The total number of Hindu Pagodas, great and small, beneficed by Government and by individuals in this district may be calculated in round numbers to amount to two thousand and the Mussalman musjids and mosques to three hundred, making in the aggregate two thousand three hundred places of Hindu and Mussalman worship.

4. Of the former there are 139 large Pagodas, maintained at an annual expense of Star Pagodas 44551—30—18. This sum is appropriated as follows; Ready money expenditure, Star Pagodas, 16085—17—27, endowments by land and swernadayam 19374—39—32, and revenues derived from other sources amounting to Star Pagodas 9091—18—39. For a particularization of these several items, I must refer the Board to statement A.

5. I shall proceed in this report as prescribed by the Board and discuss 1st Devastanam endowments or those for the support of mosques, temples, or other religious institutions.

A report of all Mussalman institutions will be transmitted hereafter as soon as the accounts and numerous documents can be completed.

6. The total annual amount of endowments from Government whether in money or land to the principal Hindu Pagodas, in number one hundred and thirty nine, is Star Pagodas 35460—11—59.

Endowments by Government.

7. First in celebrity and size are the five pagodas situated on the island of Srirangam. These pagodas are all dedicated to Vishnu and by *Brahminical tradition*, were founded in the Tratayugum or 100, 000, 000, years ago. Srirangam is held by the Hindus as a most holy place inferior only to Kasi and Ramaswaram; hence a million of people have been known to assemble for the purpose of witnessing the ceremonies at the great feast.

8. The records of my office afford no distinct information relative to the manner in which the revenues of the Srirangam pagodas were collected or the amount of the annual expenditure prior to the Mahomedan conquest; but no change appears to have taken place either in the mode of administration or amount of endowment till the management of Wallajah, w[illegible] in the year 1755 assumed all the villages assigned as a benefice to the pagodas and with[illegible] ing any specific sum for their maintenance disbursed in Fasli 1203 Star Pagodas 1834[illegible]

9. Prior to this Fasli until the assumption of the country in 1211, there ar[illegible] whatever forthcoming and even the accounts of the expenditure in Fasli 12[illegible] received with the greatest caution.

10. The difficulty of ascertaining the real amount [illegible] revenue or e[illegible] villages originally assigned for the support of the [illegible]as is considerabl[illegible]

impossibility of believing the only persons capable of giving correct information on the subject. If for instance the Stallatars, (Vide list B) and Karnams of the pagodas are to be believed there was no less than 58 villages attached to the Srirangam pagodas and yielding at present yearly revenue of Star Pagodas 27128—18—52.

11. One fact is however I think certain, namely that the villages belonging to the pagodas must have yielded considerably more revenue than the amount allowed annually by Wallajah For adverting to the unvarying policy of the Mahomedan Government, and the religious tenets of its rulers, it places the question beyond the power of argument to prove that the measure of assuming the villages attached to the pagodas could have arisen from any other cause than avarice and necessity.

12. The Moyen Zabitah fixed by Mr. Wallace for the maintenance of these five pagodas and their dependencies, amounted to an annual expenditure in ready money of Star Pagodas 11479—28—60; this establishment was reduced by Mr. Travers to the sum of 10,000 pagodas. Besides this sum the pagodas derive other emoluments amounting to Star Pagodas 1857—7—23; making the aggregate expenditure Star Pagodas 12540—29—0. This includes the allowances granted to priests, and prostitutes, to predictors, and elephants, to horses and cows, to camels, and chobdars and to all the other retinue and attendants attached to the synod of the pagodas.

The particulars will be found in statement C.

13. It would require too much detail to enter minutely into the expenses even of a single day; but the Board by reference to statement D will find the exact daily expenditure which takes place in each of the pagodas.

14 & 15. (Relate to Jambukaiswaram Pagoda).

16. (Relates to the Tayaman pagoda at the Rock Fort.)

17. The management of the Srirangam pagoda as well as that of all the pagodas in this District with the exception of the Toyaman pagoda has ever been vested in the Government.

* * * *

18 to 38—(Relate to the other pagodas in the District.)

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) C. M. LUSHINGTON,

(True Copy) („) L. KRISTNA IYENGAR,

Sheristadar.

14th February 1828.

THE SECRETARY TO THE BOARD OF REVENUE

FORT SAINT GEORGE.

...has for some time past been my desire to submit to the Board a detailed Report ... establishments of the Trichinopoly District, but I find it to be difficult to ... on which to form it. I avail myself of the earliest opportunity to submit ...nsideration of the Board, and I beg their indulgence for not having for...t an earlier date.

104

here are three pagodas in the vicinity of Trichinopoly which are so far superior in
o all others in the District, that I will report upon them separately. They are the
Ranganadhaswami on the island of Srirangam, distinguished as the Srirangam
pagoda of Tiruvanakaval or Jambukaswaram also on the island of Srirangam, and
of Taymanswami or the Rock pagoda situated on the Rock in the Fort of Trichi-
he first of these pagodas is dedicated to Vishnu and the two last to Siva.

the first *letter which I have found on record on the subject of the Devastanam

rd 3rd February

establishments of the District, Mr. Wallace †stated that each of these pagodas formerly had considerable tracts of land attached to them from the produce of which their expenses were defrayed. I have not been able to discover on the records of the Cutchery any docu-
g what these lands may have been nor the revenue which may have been derived
By an account which has been found among the records of the Srirangam pago-
ever pretended that 57 villages in the District formerly belonged to that establish-
pecting this account I can offer no opinion. It may be authentic, but it is as
otherwise, since nothing could have been more easy than for the Brahmans attach-
goda who had access to the records to introduce such an account among them.
ever do certainly exist for supposing that the account is in a great measure correct,
the present day the artificers and inhabitants of most of those villages are in the
orming services in the pagoda during the celebration of the several feasts and of
particular times *marriadies* consisting of small quantities of rice, betel nut, cocoa-
n it. The present amount of the Beriz of those villages is Rs. 82015-3-11⅞ a

stated that these three principal pagodas continued in the full enjoyment of the

7th June 1813.

revenues of all of the villages attached to them until the time of the Nabob Wallajah when the villages were attached and an allowance
30 chuckrums or Rs. 66, 150 was made to them in money. Of this amount Rs.
allotted to the Srirangam pagoda, Rs. 11736, to the Jambukaswaram pagoda, Rs.
pagoda on the Rock, and Rs. 3880 to the pagoda at Mannargudi which Taluq has
tached to the District of South Arcot. This was the amount which was nominal-
the pagodas during the last year of the Mahomedan rule. It is however assert-
ushington *appears to have given credit to the report, that the pagodas did not by
eceive the full allowance so fixed for them.

e first year of the country being subject to British rule Mr. Wallace determined
the expenses of the Srirangam pagoda which amounted to Rs. 40178-14-3 to be
the Treasury of the Circar. This was to be exclusive of all voluntary offerings
a which were to be set apart in order to form a fund from the proceeds of which
ight at times be repaired.

Wallace afterwards found that this allowance had been formed on too low a scale and he in consequence in several Faslies increased it as it appeared to him to be necessary Besides, the pagoda of Nachiyar Amman
Oraiyur, in Trichinopoly, attached to the principal pagoda of Srirangam, had for
rs been used as a Barrack for European soldiers. It was in Fasli 1215 purified
d at a cost of Rs. 13409-6-0 and an annual allowance of Rs. 4459-6-5 made for
nance of ceremonies in it. By the *statement which I submit it will be perceived
en Faslies 1211 and 1232 an addition to the scale of the expenses of the pagoda in
was made to the extent of Rs. 18272-13-5, while a reduction in other items was in
eriod effected to the amount of Rs. 9574-3-0. The total increase then in the scale
to Rs. 8698-10-5 and the scale of the expenses of the pagoda was in Fasli 1232
Rs. 48877-8-8.

7. In Fasli 1233 Mr. Fetherston, the Head Assistant of the District, reduced th es of the pagoda to the extent of Rs. 13597-12-8 by discharging a . number of its ser curtailing the allowances of others so that the scale of the expenses was reduced in to Rs. 34979-12-0.

8. In Fasli's 1234 and 1235 Mr. Saunders restored a number of the allowan had been struck off by his Head Assistant and thus increased the expenses of Fasli 1 tent of Rs. 6126-7-2 so that the scale fixed by him amounted to Rs. 41106-3-2 wh amount at which it now stands. It will therefore be perceived that the amount o of expenses is at present Rs. 7771-5-6 less than it was in Fasli 1232.

9. I beg to submit a *statement showing what has been the allowance allow Government each year since the country was assumed; extra revenue of the pagoda has been, what its expense amount remaining surplus after deducting all those expenses.

* Marked C.

10. In Fasli 1218 when Mr. Garrow was Collector of the District the su amounted to Rs. 9151-5-6 on which he *recommended t ber of bridges should be constructed at the cost of the pa various nullas and rivers which intersected the island of This was effected at a charge of Rs 7956-7-4 by which the surplus funds were red 1194-14-2.

*To Board 5th September 1809
From Do. 20th Do. Do.

11. In Fasli 1222 Mr. Travers being of opinion that the allowances made to were higher than was necessary, reduced that of the Srirangam pagoda from Rs. to Rs. 35000, a year which is the amount at present allowed to that pagoda.

12 The second column in the statement shows what the extra revenue of the each year amounted to since the country was assumed. This revenue arises from pr by those persons who visit the pagoda at the time of the celebration of its sever from the rent of a number of shops constructed within the boundary wall of the consequently forming a part of its establishment; from the rent of small portions o to the walls of the pagoda; and from the jodegai or fees paid by some of the se pagoda for the privilege of holding offices in the pagoda.

13. I would beg to mention that at the time that Mr. Wallace enquired int of the pagoda, finding that it had been invariably customary for the persons who ous situations in the establishment to pay certain sums each year as jodegai or fees vilege of holding their offices, he fixed on a certain scale of fees according to whic son nominated to such an office was required to pay. This scale was observed whole of the time that Mr. Wallace presided over the district and for many year period, but of late years in consequence of the extra revenues having fallen off by visiting the pagoda having discontinued the practice of presenting to it such la presents as were formerly offered, these offices have been each year exposed fo highest bidder in order as far as might be possible to raise the receipts of the ex to their former standard.

14. It would appear that the Brahmans of the pagoda have constantly co this practice as being an innovation which led to the affairs of the pagoda being c a far less efficient manner than was formerly the case, since as the characters selected for office were not taken into consideration when they were chosen, it ha of introducing into office persons of the worst habits who in order to indemnify for the high fees which they were paying for their situations, plundered the pa ways in their power.

15. The principal situations which were thus exposed for sale were that of th Purrigalam or cooks, who boil the rice daily consumed in the pagoda, that of the Pottus or persons who make the cakes in the pagoda, and offices of this descriptio loudest complaints were made, and indeed petitions were presented to both the E

105

the late Governor, and forwarded to me for investigation, by the Brahmans, stating that these persons made away with very large portions of the materials served out to them which from the circumstance of their coming from the pagoda they were able to sell at a very high profit.

16. I made due investigation into these complaints and being of opinion that there was a good deal of truth in them and finding that no authority had ever been obtained for placing these offices up to auction, I this year discontinued the practice and appointed to the several situations men of good character who now pay the fees fixed upon by Mr. Wallace and will only be liable to be removed from their offices by misconduct. The defference between the scale of fees fixed upon by Mr. Wallace and the amount at wich the several situations sold in the last year is 1750 Rs. and in relinquishing this amount I trust that I may meet with the approbation of the Board. I am well pursuaded that in what I have done I have given much satisfaction to the principal Brahmans of the pagoda, as well as to all persons who have since the measure was carried into effect visited it. It was only by pilfering that the money for the high fees lately paid could have been raised; and I think it will be agreed that such a system as that ought by every means to be abolished.

17. The remaining columns of the statement show what have been the charges of the pagoda and that at the close of Fasli 1236 there was a surplus balance in hand belonging to the pagoda amounting to Rs. 6318-8-8.

18. It will be remarked that the expenses of the pagoda and the sibbundy charges have varied in their amount in each year. A very great proportion of the expenses of the pagoda consisted in the supply of rice, ghee and other provisions, the price of which is liable to constant fluctuation in the bazaar. The amount which is entered in the statement B as being the sum allowed for these several articles is according to the scale of their cost prepared by Mr. Wallace. A change in their cost creates however a corresponding alteration in the charges of the pagoda, and when their price is much lower, than what is provided for in the scale, of course there remains at the end of the year a considerable surplus sum in hand.

19. The Brahmans of the pagoda are exceedingly desirous that the total amount of the expenses which have been reduced * since Fasli 1232 shall be again allowed to the pagoda. I have examined into those charges and am of opinion that it is not at all necessary that the expenses should be increased to the amount prayed for. Some increase is, I however think, absolutely necessary in order that the ceremonies of the pagoda should be performed with satisfaction to the people and I would beg to refer the Board to the last column of the statement B for a detail of the charges which I would suggest should be increased. These charges amount to Rs. 2399-0-4 so that there will even then be a decrease in the expenses when compared with what they were in Fasli 1232 to the extent of Rs. 5371-12-2. I would beg to add that this account has been prepared in communication with the Brahmans of the pagoda themselves who have pointed out the items included in it as being those in which the increase is most desired.

* Rs. 7771—5—6.

20. The Brahmans are also exceedingly anxious that the allowance made by the Government to the pagoda Rs. 35000 a year should be increased to its former standard Rs. 40178-14-3; that the amount which has been stopped from it since Fasli 1222 amounting to the end of the Fasli 1236 to Rs. 77683 should be paid over to the pagoda, and that the pagoda should out of these funds be placed in a complete state of repair.

21. There can be no doubt but that the pagoda is very much out of order an
prevent parts of its buildings from falling down a considerable sum ought to be
repairing it. I am of opinion that it would require about sixty thousand Rupee
a good repair and I would recommend that the expenditure should be authoriz
wever remain with the Board to decide whether such a sum can be spared for t

and whether it be advisable to restore the annual allowance of the pagoda to its former standard. I would think that it would be preferable that the allowance should not be raised to its former standard, but that it should be understood that as the allowance of the pagoda was formerly so much higher than it at present is, the pagoda should always possess claims on the Government for the performance of such repairs as it might actually require.

22. The affairs of the pagoda are conducted by seven Stallatars whose situations with the exception of the first are all hereditary. The Head Stallatar is entitled Sriranga Narayana Jeer, which is the title of his office and not the name of the persons filling it. For this situation whenever it is vacant a Brahman who is a Sanyasi is chosen by the Collector with the approbation of the Board and as the allowance paid to him exceeds that of any other Stallator, so is he considered in dignity to be above them. The last of the Stallatars is not a Brahman but a Sathany.

Paras. 23—48. (Relate to other Hindu Temples and the Mahomedan Musjids &c. in the Trichinopoly District.)

Trichinopoly, 14th February 1828 (Signed) ——————— *Collector.*

26th August 1841.

Revenue Department.

To

The Collector of Trichinopoly.

Sir,

Para. 1 I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 9th Instant. It appears to the Board that the object of Government in transferring the superintendence of religious institutions to the people themselves is not, as stated in the 3rd para of your letter simply "to divest themselves of all necessity of interference" in future by adopting the readiest means that offer for getting rid of the trust now vested in them, but to devolve that trust upon the people in such a way as shall appear best calculated to preserve the funds of the charities from misappropriation or spoliation.

2. The scheme suggested by you does not appear to provide sufficiently for the latter purpose. The jealousy of interference evinced by the Members of the Committee now selected, the mode of supplying vacancies in their body by self-election and, the operation of the 3rd article of the form of agreement will tend to invest that body with the character of a close corporation. Some provision is necessary for keeping the accounts of the trust open to the inspection of parties legitimately interested in the welfare of the institution by whom alone the administrators of the funds could be rendered amenable in a Court of Justice.

3. With regard to the choice of proper persons to fill the office of Trustee, a suggestion of the Collector of Bellary for this purpose is deserving of attention. He proposes to give the [illegible]ants of the Town or District in which the temple is situated, the power of [illegible]ividuals by majority of votes. If found susceptible of practical application [illegible]ld be glad to see this principle generally adopted.

[illegible]jection suggests itself to the selection of parties to fill the office of Pagoda [illegible] the public servants of Government. It might lead to an erroneous impression [illegible]of persons at a distance who have been most earnest in pressing the dissolution [illegible]rence of Government in such matters, that the withdrawal has not been so fin[illegible] [illegible] was looked for when the arguments that have been drawn in recent [illegible]

cations from the voluntary attendance of native public servants at religious ceremonies of their own faith are recalled to mind, the necessity for caution in this respect will be apparent.

I have the honor to be,

Sir,

Your most Obedient Servant,

(Signed) P. B. SMALLETT,

Secretary.

Revenue Board Office,
Fort St George.
26th August 1841.

(True copy.)

(Signed) T. PATTABHIRAM,

Acting Deputy Collector.

22nd February 1842.

TO

THE SECRETARY TO THE BOARD OF REVENUE,

FORT SAINT GEORGE.

SIR,

Adverting to the Extract from the Board's Proceedings under date the 2nd December 1841 upon the subject of Religious Institutions in the Trichinopoly District, I have the honor to request that you will lay before the Board the following observations:—

2. I have in vain endeavoured to form another Committee for the management of the affairs of the great Temple of Runghanadaswamy at Sreerunghum and as the Board's orders seem to be conclusive against the Committee originally named by me, I beg to submit for their consideration the only proposal which after the most attentive deliberation I have been able to give the subject seems to me to be capable of being carried into effect, viz, that the management of the Pagoda should be entrusted to the Hereditary Officers of the Institution headed by a Jeer religious devotee, an arrangement which being in exact accordance with Hindoo usage and as far as my enquiries have enabled me to discover, the very arrangement which did in former times obtain, does not seem to me to be open to any valid objection on the part of the Hindoo Community or of the Government.

3. Owing to long desuctude the Stallattars could not be entrusted with the management of the funds belonging to the Pagoda without a powerful check and such I am assured will be formed in the superintendance of a Jeer who being bound by his profession not to accumulate wealth for worldly aggrandizement and having in virtue of his high office renounced all ties of kindred and so being free from all the motives which commonly conduce to cause peculation, will not fail to enforce in the Pagoda of which he is the head the due appropriation of the funds allotted to its maintenance.

4. If it be objected to this scheme that sufficient dependance is not to be placed on the class of religionists from which the Jeer is to be selected inasmuch as they are enthusiast devotees and so forth, I can only reply that if there is not in the religion which they prof any inherent quality likely to produce a sufficient quantity of honesty or at all events a cient degree of attention to protect the interests of the Institution against fraud and tion.—I can only reply that I know not where this quality is to be found, for no on any thing to do with the Pagodas except from a desire to maintain the religion to belong and this desire is assuredly rather to be looked for in this highest class of of that religion than in any other.

5. But it is not simply upon the vigilance of the Superintending Officer of the Pagoda whoever he may be that dependance need be placed. Custom has ordained a regular routine of ceremonies for the due performance of which there is an abundance of hereditary officers and as an omission of any of them would infringe the privileges of these officers and deprive them of the emoluments which they enjoy only on the condition of the performance of the rites and indeed in almost every instance form an ingredient in the several rites it is clear that the interests of these people will prompt them to keep a sufficiently vigilant watch to prevent misappropriation of the funds.

6. I beg to propose that the administration of the Pagoda of Runghanadaswamy at Sreerunghum should be entrusted to the Hereditary Stallattars and the Hereditary Principal Archakar or Poojary (Priest of the Pagoda) and a Jeer, the latter to have the immediate adjustment of all disputes, the disputants being at liberty to apply to the usual Courts of Justice for a final settlement. That the Jeer shall during his life-time nominate a person to succeed him in the same manner as Gooroos are accustomed to name their successors. That all monies payable to the Pagoda from the public Treasury shall be paid to any parties duly authorized to receive them by the managers of whom one shall invariably be a manager. That the accounts of the Pagoda shall be registered on a date to be determined in the Registry office of the Civil Court of the District in which the Pagoda is situated and that the administrators shall be liable to be sued for acts of malversation.

(Paras 7 to 11 or last refer to other Devastanums and surplus funds.)

* * * * *

Trichinopoly,
22nd February 1842.

(Signed) A. P. ONSLOW,
Collector.

To

The Honorable the President and Members
of the Board of Revenue,
&c. &c. &c.

The humble Petition of Streenivasa Iyengar, Gumastah of Stree Vadavayasa Butter, Stree Parasara Butter, Rungachariar, and Stree Voothamanamby, Stallathars of the Pagoda of Streerungam, in the Zillah of Trichinopoly.

MOST RESPECTFULLY SHEWETH,

That the Collector of the aforesaid Zillah, having recommended to your Board, the nomination of certain parties of the Vadagala and Siva sects, as churchwardens of the Pagoda, Rungachariar one of the Stallathars abovenamed presented a petition to your Board in the ber last submitting in reference to a Decree of Mr. Judge Latham in No. 130 of the proprietory right to the pagoda had been decided in favor of the Tengaliars, ancy guaranteed to the Tengalai over the Vadagalai sect, the inexpediency of members of the latter sect, in opposition to that Decree, any control over the urther urging against the measure in reference to the orders passed by your date the 9th November 1832, in the case of the Triplicane Dayastanam, to the nbers of the Vadagalai sect should not be appointed Churchwardens of Tenga-

That Your Honorable Board were accordingly pleased to direct that the pagoda of Streerungam should be placed under the Churchwardenship of members of that sect (the Tengala) to which the pagoda belongs.

That the Collector in conformity to these orders, excluded from nomination, the Vadagala people whom he first recommended, and also declined to admit others of that sect who offered themselves for the appointment. He moreover endorsed on a petition of the Archakas of the pagoda preferring their claims to be appointed Dhurmakurtahs, that as they were of the Vadagala sect, and servants in the pagoda, the appointment of Dhurmakurtas should not be conferred on them.

That the Archakas however having engaged the interest of the influential Native Officers in the Collector's Cutcherry, these represe nted to the Collector that persons were not to be found among the people of the Tengala sect, fit to be nominated Dhurmakurtahs, while there were so many persons possessed both of property and character, and consequently worthy of such nomination and the Collector has your petitioner understood been so far led away by the misrepresentation of the aforesaid servants, as to recommend the Archakahs to be appointed as Dhurmakurtahs.

That your petitioners beg to submit for your consideration, the inexpediency of nominating as Dhurmakurtahs, the abovementioned Archakahs who are servants of the pagoda and deriving paltry pittances therefrom, while there are more fit persons of the Tengala sect at Sreerungum, namely Nazar Kristnarayer, who has already made his offer to the Collector on the subject and who owns property in cash and landed possessions, to the extent of 50,000 Rupees, and also Appooviengar of the Tengala sect son of Pandomangalam Streenevasa Iyengar, who also possesses property to the amount of 50000 Rupees.

Your Honorable Board may further consider whether if the aforesaid Archakahs or other servants of the pagoda had any claims in connexion with the pagoda in question they would not have asserted them at the time when Mr. Judge Latham passed this decree in No. 130 of 1808, and whether if those claims were proved to the satisfaction of that Gentleman, he would decide in favor of your Petitioners party, the Tengalayars, and whether if the said Archakahs &c. of the Vadagalai sect, had grounds to submit their claims to higher authority they would not have resorted to the Appeal Court which was situated at no great distance.

That whereas Mr. Latham declared in his decree that should the people of the Vadagala sect, wish to exercise any control over the Tengala in Streerungam, they (the former) should erect on separate land purchased from Government Gopoorums and mantapams or steeples and Porticos similar to those of the present Davastanam, it is not a little surprizing to your petitioners that the Vadagala party should now seek to secure that control in the said Davastanam through the influence of the Collector's Head Native servants.

That the said decree of Mr. Latham which has been highly commended by the Sudr Udalut as very equitable and has been fully confirmed by the Proceedings of the Provincial Court in 132 of 1832 (herein enclosed marked A) by the decree of the same Court in No. 76 of the same year (marked B) by the 14th Para of the Sudr Udalut's letter to Government dated 30th July 1832 (marked C) and also by the decree of the Sudr Udalut in No. 51 of 17th June 1833 (marked D) Your Petitioners most humbly but earnestly hope that your Honorable Board will not acquiesce in the recommendation made by the Collector, in consequence of the misrepresentation made to him by the Principal servants of his Cutcherry for the nomination of the Archakahs for the Churchwardenship of the pagoda at Streerungam which measures contrary to those decrees, and contrary to the Proceedings of his own predecessors (marked E) and most respectfully solicit that your Board in conformity to your Order passed under date the 9th November 1832, will be pleased to appoint as Dharmakurtahs, the two respectable indiviuals of the Tengala sect already mentioned, viz., Nazer Kristnayengar and Appooviengar, in conjunction with the Stallattars of the Pagoda who at present draw from the Collector's

Treasury on their own receipt, the Funds allotted for the expenses of the Pagoda, pass the accounts of Disbursements from the same, by affixing their signatures to those accounts, and have the custody of the Jewelry of the Pagoda and who moreover have as their Disciples, many Zamindars and other respectable and opulent Natives.

And your Petitioners as in duty bound,
Shall ever pray,
SREENIVASIENGAR.

MADRAS,
15*th March* 1842.

No. 394 of 1842.

From Streenevasa Iyengar Goomastah to Stree Vadaveyasa Butter and other Stallattars of the Pagoda of Streerungam in Trichinopoly.

Received 15th March 1842 with 1 Enclosure.

Praying that Churchwardens for Streerungum Pagoda may be selected from persons of the Tengala sect.

The orders of the Board of Revenue in the matter of this Petition have been communicated to the Collector of Trichinopoly to whom Petitioner is referred.

Revenue Board Office,
Fort Saint George,
30th June 1842.

(By Order.)

W. ROUPELL,
Sub-Secretary.

23*rd May* 1842.

To

Revenue Department.

The Acting Collector of Trichinopoly.

Sir

Para. 1. The Board regret that they continue to perceive objections in the plan for the transfer of the management of the greater Pagodas, contained in Mr. Onslow's letter of the 22nd February.

2. The nomination of the hereditary Ministerial Officers of Streerungam under the guidance of a Devotee or Jeer of the temple who by his vows as a Sunyasi is bound to renounce all wordly cares and occupations does not seem to them to hold out a fair expectation of ensuring the efficient control of the large expenditure or preserving inviolate the accumulated wealth of that institution while the objection stated to exist on the part of the Stalattars to their association with the Archikars, leads to the apprehension that the elements of discord exist even in the original constitution of the proposed Committees.

3. Under these circumstances, it has occurred to the Board that the wealth and importance of the Sreerangum Pagoda might render the regulation of its affairs an object of interest and solicitude to the Tondiman family, and they would suggest, therefore, that you should open a communication with Mr. Blackburne for the purpose of ascertaining how far this proposal may be found feasible.

" Paras 4 to 6 inclusive relate to other Pagodas."

7. The question of the disposal of the surplus funds has been reserved by superior authority for future decision; meantime they will continue in deposit as at present.

I have the honor to be,

Sir,

Your Most Obedient Servant,

(Signed) R. T. PORTER,

Secretary.

Revenue Board Office, Fort St. George,

23rd May 1842.

29*th* *July* 1842.

To

The Secretary to the Board of Revenue,

Fort St. George.

Sir.

1. In acknowledging the receipt of your letter of the 23rd May last approving the plan submitted by me for the management of the minor Pagodas in the district of Trichinopoly and suggesting certain measures regarding the three principal ones, I beg to express my regret that so much time should have elapsed before I could bring my arrangements regarding the letter to a sufficient state of maturity to enable me to reply to the Board's observations.

2. With reference to the suggestion that I should open a communication with Mr. Blackburne for the purpose of ascertaining whether the Tondaman's family would be willing to undertake the administration of the great Pagoda at Sreerangam, I beg to observe that as this measure appeared to me the "readiest means for getting rid of the Trust", I almost as soon as the order for the withdrawal of interference was issued made overtures on the subject to the Rajah of Tondaman and met with an immediate and decided discouragement from the then Acting Resident Mr. Bayly and as I know that Mr Blackburne entertains the same sentiments on the subject as his predecessor, I have not thought it necessary to enter into a correspondence with him especially as I, cannot but acquiesce in the justice of the objection urged against the measure. I did not in the first instance think it necessary to acquaint the Board with my having made this fruitless endavour any more than I did to trouble them with the details of the many other schemes which I had formed in vain, deeming that I should best perform my duty by laying before them that which after giving the subject my best consideration should seem to be most feasible and most likely to effect the object in view.

"Paras 3 and 4 relate to other temples".

5. In regard to the great Pagoda at Sreerungam (Runganadaswamy's) I am glad to be able to say that a considerable number of the principal persons interested in it having come to an amicable agreement have *proposed two persons as Trustees in conjunction with the Stalattars, viz., Kistna Row formerly Nazir in the Court at this station and now an independent inhabitant of Worriore and (the abovementioned) Chundrashakaram Pillay who resides in the Taluk of Laulgoody.

*See copy of Petition No. 3.

6. If the above arrangements meet the approval of the Board, the withdrawal of interference in the management of the religious institutions of the natives in the District of Trichinopoly will be complete.

"Paras 7 and 8 relate to disposal of lands and surplus funds of the Devastanams".

Trichinopoly Collector's Office,
29*th* *July* 1842.

(Signed)

A. P. ONSLOW,
Collector.

6th October 1842. *Revenue Department.*

Extract from the Proceedings of the Board of Revenue, dated 6th October 1842.

Revenue, dated 6th October 1842.

Read the following letter from the Collector of Trichinopoly, reporting further the arrangements which he has been able to form for the managementof the three large Pagodas of his District.

(Here enter July 29th 1842, No. 44.)

Para 1. In the last communication* from the Board on this subject, to which the letter above recorded is a reply, the Boord objected to the proposed arrangement for the Srirangam Pagoda, on the grounds that the Jeer was not a fit person to have the management of extensive and intricate transactions, and that the antipathy existing between the Stalattars and Archagar would prevent their cordially uniting in the duty of Trustees. These objections are now obviated; both Jeer and Archagar are removed from the Committee, as now proposed, which is to consist of two independent and respectable persons, in conjunction with two of the Pagoda Stalattars; all the four officers of that description officiating on the Committeein alternate years.

*Letter, May 23rd 1842.

"Para 2 relates to Jambogaswaram and Rock Fort Temples".

3. The Board approve generally of the arrangements as now proposed for all three institutions, and authorize the Collector to carry them into effect immediately; thus completing withdrawal of the servants of Government in the Trichinopoly District from all Devastanam management. Except in the case of the Sriragnam Stalattars, whose successors in that office will in like manner be Trustees ex-officio, the provisions made for the appointment of successors to the individual Trustees now nominated are not what the Board can fully approve; this, however, need be no bar to the immediate execution of the plan, as it is expected that the mode of succession will be settled generally by a legislative enactment.

4. It is discretionary with the Collector to employ, and pay out of the Pagoda revenues, such servants as he may deem necessary for the object specified, in the 7th para of his letter: but these servants will not appear in the Moyen Jobitah of the District, or form a part of any public establishment, and the Board do not consider that their special sanction is necessary to the measure.

5. Government have declared it objectionable that any trust deeds or engagements of the kind should be executed by the Trustees, and the Board, therefore, cannot confirm those submitted by Mr. Onslow.

"Para 6 relates to surplus funds in deposit."

7. Ordered that Petitions 1178 and 1211 of 1842 be respectively endorsed as follows:—

On 1178 of 1842.—"Petitioners are informed that it is not considered proper to associate them with the Stalatars in the management of the Srirangam Pagoda and that reason appears for setting aside the persons selected for the truft, in favor of those whom they recommends

On 1211 of 1842.—"Petitioners are informed that it is not considered expedient to associate the Archagars with the Stalators in the management of the Srirangam Pagod'a'.

Ordered that extract of the foregoing proceedings be furnished to the Collector of Trichinopoly, for his information and guidance, with reference to his letter recorded above.

(A true Extract)

(Signed) J. D. BOURDILLON,
Secretary.

12th November 1842.

ஸ்ரீரெங்கநாதசுவாமி கோவில் விசாரணை தர்மகர்த்தர்கள் ஷை கோவில் ஸ்தலத்தார் ஸ்ரீ வேதவியாசபட்டர், ஸ்ரீ வாதூலதேசிக ரெங்காசாரியார், ஸ்ரீபராசரபட்டர், ஸ்ரீவாதூலதேசிக அண்ணங்கார், ஸ்ரீஉத்தமநம்பி ஒறையூரிலிருக்கும் வியாபாராணி கிருஷ்ணராவு பிச்சாண்டார் கோவில் சந்திரசேகரம்பிள்ளை இவர்களுக்கு என்னவென்றால்,

ஸ்ரீரெங்கநாதசுவாமியார் கோவிலுக்கும் அதைசசேர்ந்த சந்நுக்கோவில்களாகிய ஒறையூர் நாச்சியார்கோவில் திருவெள்ளறைபுண்டரீகாக்ஷப் பெருமாள்கோவில் சமயபுரம் மாரியம்மன்கோவில் ஜம்புகேசுவரன் கோவில் மேலம்பில பெருமாள்கோவில் இந்த தேவஸ்தானங்களுக்கு தர்மகர்த்தர்களாக நீங்கள் ஏற்பட்டு அதின் விசாரணையை நடத்திவருகிறதாக ஒப்புக்கொண்டதின்பேரில் அநுசங்கதியை நாம் மகா-ா-ா-ஸ்ரீ ரெவின்யூ போர்ட்டு துரையவர்களுக்கு அறிவித்திருந்ததில் அந்தப்படி மஞ்சூர் செய்து ஷை தேவஸ்தானங்களை உங்கள்வசத்தில் ஒப்புவிக்கும்படியாய் அக்டோபர்மீ 6வ. யுள்ள உத்திரவு வந்திருக்கிறபடியால் அந்த உத்திரவுப்படி ஷை தேவஸ்தானங்களையும் அதைச்சேர்ந்த திருவாபரணம், பாத்திரம், வஸ்திரம் வகைரு தரோபஸ்தையும் உங்கள்வசம் ஒப்புவித்து ரசீது வாங்கும்படியாய் தேவஸ்தானம் பேட் பேஷ்காருக்கு உத்திரவு அனுப்பியிருக்கிறோம். அந்தப்படி வருகிற கார்த்திகை மீ 1வ முதல் நீங்கள் ஒப்புக்கொண்டு ஷை தேவஸ்தானங்களைச்சேர்ந்த சகல விசாரணையும் நீங்களே செய்துகொண்டு ஷை தேவஸ்தானங்களைச்சேர்ந்த கீர்த்தியப்படி அதிகப்படி உச்சவாதிகளுக்கு யாதொரு தாழ்வுமில்லாமல் நிறைவேற்றிக்கொண்டுவருகிறதற்கு இதினாலே உங்களுக்கு அதிகாரம் கொடுக்கப்பட்டது.

இப்போது தர்மகர்த்தர்களாக ஏற்பட்ட உங்களுக்கும் இனிமேல் நேமுகமாகப்போகிறவர்களுக்கும் தர்மகர்த்தர்களென்கிற அலுவலுக்கு உண்டாயிருக்கிற அதிகாரத்தைக் கொடுக்கப்பட்டிருக்கிறது. நீங்கள் ஷை தேவஸ்தானங்களை விசாரணைசெய்துகொண்டுவருகிறதைக்குறித்து யாதொருவருடைய அதிகாரத்திற்கும் உட்படாமல் நீங்கள் சுவயமாகவே சகல விசாரணையும் செய்துகொள்ள உங்களுக்கு சுதந்திரம் உண்டாயிருக்கிறது. ஆனால் அந்தந்த தேவஸ்தானத்தைச் சேர்ந்த மிருசு ஊழியக்காரர்களை நீங்கள் அனியாயமாய் நீக்குதல் செய்தாலும் அவர்களுடைய சுதந்திர வருமானங்களை கொடாமல்போனாலும் அதற்காக அப்படிப்பட்டவர்கள் உங்கள்பேரில் நியாயஸ்தலங்களில் கொண்டுவரும் வியாச்சியங்களுக்கு நீங்களே உத்திரவாதிகளாயிருக்கவேணும். தர்மகர்த்தர்களாகிய நீங்கள் உங்கள் வசப்படுத்தியிருக்கிற ஷை தேவஸ்தானங்களின் ஆதாயத்திற்கும் செலவுக்கும் சரியாகவும் உண்மையாகவும் கணக்குகள் வைத்திருந்து அந்தக் கணக்குகளுக்கு மாசமாசம் இதுவரையில் நடந்துவந்த வழக்கப்படிக்கு ஸ்தலத்தார்எல்லாருடைய கையெழுத்தும் வாங்கிவைக்கவேணும். ஷை ஸ்தலத்தார்களாகிய மேல்கண்ட 5 பேர்களையும் அவர்களுடைய பாத்தியஸ்தர்களையும் ஷை தேவஸ்தானங்களுக்கு தர்மகர்த்தர்களாக நியமிக்கப்பட்டிருக்கிறது. ஆனால் இதினடியில் கண்டிருக்கிற வரிசைக்கிரமப்படிக்கு வருஷத்திற்கு ஒருத்தராக மற்ற இரண்டு தர்மகர்த்தர்களுடனே சேர்ந்திருந்து அலுவல்பார்த்து வரவேணும். தர்மகர்த்தர்களுடனே சேர்ந்து அலுவல்பார்க்கப்பட்ட ஸ்தலத்தார் மற்ற 4 ஸ்தலத்தாருடனே உடன்கையாக இருந்துகொண்டு தர்மகர்த்தர் அலுவல் நடத்திவரவேணும். வருஷத்திற்கு ஒருவராக தர்மகர்த்தர் அலுவல் பார்த்துவரவேண்டிய ஸ்தலத்தாருக்கு விவரம். 1 ஸ்ரீ வேதவியாசபட்டர், 2 ஸ்ரீ வாதூலதேசிகரெங்காசாரியார், 3 ஸ்ரீ பராசரபட்டர், 4 ஸ்ரீ வாதூலதேசிக அண்ணங்கார், 5 ஸ்ரீ உத்தமநம்பி மேலெழுதிய 5 பேர்களில் முதல் வருஷத்திற்கு ஸ்ரீ வேதவியாசபட்டர் தர்மகர்த்தராயிருக்கிறது. மேலெழுதிய பேர்வரிசைக்கிரமப்படி மற்றவர்களும் வருஷத்திற்குஒருத்தராக நிறைவேற்றிவரவேணும் தர்மகர்த்தர்களாக நியமுகமாயிருக்கிறவர்களில் யாராவது இறந்து போனாலும் அல்லது அந்த அலுவல் வேண்டியதில்லையென்று ருஜினமா மூலமாய் விட்டுவிட்டாலும் மற்ற தர்மகர்த்தர்கள் ஒன்றுசேர்ந்து வேறு ஒருத்தரை நியமித்துக்கொள்ளவேணும். ஷை தேவஸ்தானங்களிலிருக்கிற தரோபஸ்து ஊழியக்காரர்கள்பேரிலும் தர்மகர்த்தர்கள் தங்களுடைய அதிகாரத்தையும் மேல்விசாரணையையும் நடப்பிவிக்கலாகும். ஷை தேவஸ்தானங்களுக்கு சர்க்காரிலிருந்து கொடுக்கிற ரொக்கவருமானத்தையும் கோவில் வாசல் ஆதாயம் ஜோடி உண்டியல் பத்து முதலான சகல வருமானமும் வரப் பெற்றுக்கொள்ள உங்களுக்கு சுதந்திரம் உண்டாகியிருக்கிறது. சர்க்காரிலிருந்து கொடுக்கிற மோயினித்தொகையை நீங்கள் சதாயாவது வைசகில் மூலமாயாவது அப்போதைக்கப்போ அசூர் கஜானாவிலிருந்து வரப்பெற்றுக்கொண்டு இதுவரையில் அந்தந்த தேவஸ்தானங்களில் நடந்துவருகிற கிரமப்படி நடப்பிவித்துக்கொண்டுவரவேணும் கோவில்காரியங்களை நிறைவேற்றிவருகிறதிலும் ஊழியக்காரர்கள் சிப்பந்திகள் இதுமுதலானது நேமிக்கிறதிலும் தள்ளுபடி செய்கிறதிலும் இன்னும் எவ்வித கோவில் காரியங்கள் விதாயிக்கிறதிலும் மூன்று பேர் தர்மகர்த்தர்களும் ஒருமித்த அபிப்பிராயத்துடன் நிறைவேற்றிவரவேணும். ஒருவேளை எந்தகாரியத்திலாவது தர்மகர்த்தர்களுடைய அபிப்பிராயம் வேறுபட்டால் இரண்டுபேர்களுடைய அபிப்பிராயம் ஒருவிதமும் ஒருவருடைய அபிப்பிராயம் ஒருவிதமுமாயிருந்தால் மெஜாரிட்டியென்கிற இரண்டுபேர்களுடைய அபிப்பிராயமும் முடிவானதாக நிறைவேறப்படவேண்டியது. முன்பின் நடந்துவந்திருக்கிற மாமூலும் செலவுவிபரமும் இட்டங்களும் உங்களுக்கு தெரிந்துகொள்ளவேண்டியதற்காக 1250, 1251, இந்த இரண்டு பசலியின் தபசீல்திரங்களை உங்கள்வசம் ஒப்பிவித்து ரசீது வாங்கும்படியாய் பேட் பேஷ்காருக்கு

உத்தரவு கொடுத்திருக்கிறோம். அந்தப்படி ரசீது கொடுத்து வாங்கிக்கொண்டு பத்திரமாய் வைத்திருக்கவும். கார்த்திகைமீ 1உ முதல் பேட் பேஷ்கார் மம்டிபேஷ்கார் முகமுதார் குமாஸ்தா ரூபசக்காரன் இவர்களை கோவில் விசாரணையிலிருந்து மோகூப் செய்த திருவாபரணம் வகையறா தஸ்தாபஸ்தும் உங்கள்வசம் ஒப்பிவித்து ரசீது வாங்குகிறதற்காகமட்டும் சர்க்கார் தரப்பில் பேட் பேஷ்கார் வீரசாமி அய்யங்கார் முகமுதார் நாராயணராவு குமாஸ்தா ஸ்ரீநிவாசய்யங்கார் ரூபசம் சுப்பிரமணியபிள்ளை இவர்களை காயம் செய்திருக்கிறோம். அவர்கள் உங்கள் வசிக்குள்பட்டு கோவில் விசாரணை அலுவல் பார்க்கமாட்டார்கள். ஆகையால் உங்கள் இச்சைக்கொத்தவர்களை அந்தந்த அலுவல்களில் நேமித்துக்கொள்ளலாம். ஷை தேவஸ்தானத்துக்கு இப்போது ஏற்பட்டிருக்கிற மோயினி வருஷம் 1-க்கு ரூ. 35000, இந்த முப்பத்தி அய்யாயிர ரூபாயில் அருகில் ஏற்பட்டிருக்கிற கிப்பத்தி வைபோக பாசுதி துகையை நீங்கள் அருள் கஜானாவில் அப்போதைக்கப்போ வாங்கிக்கொள்ளவும். இனிமேல் மேலெழுதிய மோயினித்துகையைக் குறித்து அவார்த்தனத்தார் என்ன உத்திரவு அனுப்புவார்களோ அந்த உத்திரவுப்படி நடத்துகொள்ளவும். 1211ம் பசலிமுதலிருக்கிற காயித ரிக்கார்டு தஸ்திரங்கள் பத்திரம்பண்ணிவைக்கிறதற்காக நாஸ்தாயிருக்கிற ஒரு கொட்டடி நீக்கிக்கொடுக்கவும்.

1842ஞு நவம்பர்மீ 12உ
மு. திருச்சினாப்பள்ளி.

(Signed) A. P. ONSLOW,
Collector.

21st *November* 1842.

Extract from the diary containing entries of Devastanam "Hukkumnamas" as follows :—

To
Vasaruni Krishna Row and Chandrasekaram Pillay, Dharmakartas of the Srirangam temple

With reference to the order that you, having been nominated as Dharmakartas of the Srirangam temple, should transact the duties of Dharmakarta in conjunction with one of the "Stallattars" every year, we come to understand that, as the other 4 "Stallattars" object to take Sri Vathula Desika Annangar as one of them on account of dissensions among the "Stallattars," a delay is caused in taking charge of the sacred jewels &c., and doing duty. Therefore we have removed said Sri Vathula Desika Annangar from the committee of the Dharmakartas. Therefore taking along with you Sri V[illegible] Vyasa Bhutter who has been selected Dharmakarta for the current year from amo[illegible] "Stallattars" with the exception of said Vathula Desika Annangar, you [illegible] your giving receipt for taking charge of the sacred jewels &c. bel[illegible]vastanam, conduct the temple affairs without any drawback.

Trichinopoly [illegible] 1842.

(Signed) A. P. ONSLOW,
Collector.

26th *November* 1844.

No. 1135, of 1844.

The Collector has no power to interfere in the appointments of Trustees to the Devastanams which rests entirely with the Durmacurtahs of the pagodas.

Trichinopoly.
COLLECTOR'S OFFICE,
26th November 1844.

(Signed)
A. P. ONLOW,
Collector.

26th *November* 1844.

நெ. 1135.

தேவஸ்தானத்தில் தரஸ்டிகளை நியமிக்கிற அலுவல் தர்மகர்த்தாவைச் சேர்ந்ததானபடியினாலே கலெக்டர் துரையவர்கள் அந்த சங்கதியில் பிரவேசிக்க மாட்டார்கள்.

1844ஞு நவம்பர்மீ 26உ
திருச்சினாப்பள்ளி
கலெக்டர் ஆபீசு.

(ஒப்பம்)
ஏ. பீ. ஆன்ஸ்லோ,
கலெக்டர்.

6th October 1845.

O. 865.

உசூர் கஜானா கிபாஷகேபர் அப்பாசாமி முதலியாருக்கு,

ஸ்ரீரெங்கம் தேவஸ்தானத்துக்கு செல்லவேண்டிய நாளது பசலி புரட்டாசிமீ த்திய மோயிசு. ரூ $2326\frac{3}{4}$ பை 6 மார்கழிமீ த்தில் நடக்கப்போகிற கொட்டகை உற்சவ மோயிசு. ரூ $4242\frac{3}{16}$ பை 1 ஆ ரூ $6568\frac{15}{16}$ பை. 7 திருவள்ளரை தேவஸ்தானத்துக்குச் செல்லவேண்டிய நாளது பசலி புரட்டாசிமீ த்திய மோயிசு. ரூ $52\frac{1}{2}$ ஆ ரூ $6621\frac{7}{16}$ பை. 7ம் ஷை கோவில் ஸ்தலத்தாரில் பஞ்சாயப்பட்டர் இப்போது ஸ்தலத்தார் நியமித்திருக்கிற மைத்த தர்மகர்த்தர்கள் ரிப்போர்ட்டு செய்திருக்கிற கஞ்சமலை முதலியார், ராமசுவாமி முதலியார் யிவர்கள் ரசீதின்பேரில் கொடுத்து கணக்கில் சிலவு தாக்கல் செய்யவும்.

1845ளு அக்டோபர்மீ 6ட } (ஒப்பம்) சேஷகிரிறாவு யேட் சிறஸ்ததார்
மு. திருச்சிறாப்பள்ளி } ,, தி. செல்லப்பமுதலி ந. பு. சிற.

,, மு. ரெங்கறாவு எ. ஜி.
Rs 6621-7-7.

(Signed) A. P. ONSLOW,
Collector.

(True Copy)

W. E. WRIGHT,
Deputy Collector.

Extract from Diary of Miscellaneous Petitions form January 1845.

Number.	Name of village and Taluq	Abstract of petition.	Date and Month of petition.	Date of receipt of petition.	Endorsement on the petition.	Date when petition was posted or delivered into the hands of petitioner.
113.	Srirangam, English petition of Vathula Annagar.	That, under the Hukkumnama, he should be Dharmakarta for the current year and that the money should be given on his receipt.	21st of November. 1845.		The Hukkumnama alluded to was not confirmed by the Board of Revenue and the Government and is not, therefore, a valid document. If the parties to whom the money is paid misappropriate, the petitioner is at liberty to sue them in the Court. It is not for the petitioner to dictate to the Collector to whom the money is to be paid. The money is the gift of Government and Government may select whom they please as the recipient of the gift. 22nd November 1845. (Signed) A. P. ONSLOW, *Collector.*	(Signed) Received. Sami Aiyengar for Annangar,

8th December 1845.

REVENUE BOARD OFFICE,
Fort St. George.

From

T. PYCROFT, ESQUIRE,
Secretary to the Board of Revenue.

To

A. P. ONSLOW, ESQUIRE,
Collector of Trichinopoly,
Revenue Department.

Sir,

I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 25th October last, stating that the Stalattars and other officers of several of the Pagodas in your district are at variance in respect to the nomination of manager of their several institutions in place of those deceased, and requesting that it is highly necessary that some rule be established for regulating the succession to those officers.

2. A simple way of arranging matters for the present will, you suggest, be to declare the next of kin of each deceased manager or either of his relations who in case of his refusal may be willing to undertake the office, his successor and in the event of none of the deceased's relations consenting to perform the duty, to authorize the hereditary officers of the Pagoda to nominate a person to the office, the money not to be payable till they shall have come to an agreement on the subject.

3. In reply I am directed to inform you, that the Board concur with you in opinion that the next of kin, or on his refusal, some other of the representative of the deceased manager of any religious establishment should be recognized as his successor in office, provided the succession be generally acquiesced in by the community interested in the institution. To declare, however, the right of succession to such offices absolutely hereditary in the families of the first incumbent, and to invest the Stallators or other ministerial officers of the several institutions with power to fill up vacancies, when the relatives of a former Trustee refuse to act, would in the opinion of the Board obviously be productive of great abuses. In modification, therefore, of your proposal the Board direct that, on the death of a manager of a Pagoda the next of kin, or on his refusal any of the representatives of the deceased who may be selected by the family be recognized as the successor in the Trust, unless his succession be generally objected to by the community interested in the Pagoda. Where such may be the case, or when the last Trustee may have left no heirs, or when his heirs may refuse to act the person recommended by the general body of the worshippers should be appointed. If there be factions, and two or more contending parties be put forward, it will be for the Collector to determine as far as he may be able the nominee of the majority, and to recognize him as Trustee, referring all other parties to the Court it being distinctly understood that with reasons which may actuate the several factions in objecting to one candidate or in preferring another, the Collector has no concern, his duty being confined to ascertaining as far as possible the prevailing wish of the community and to giving it effect.

4. The above rules are not intended to apply to ex-officio Trustees of those who have been associated in the Trust in virtue of the offices which they hold in the several institutions. In such case the Trust will be considered to be attached to the office, and the succession to both be regulated by the same principles.

I have the honor to be,
Sir,
Your Most Obedient Servant,
(Signed) T. PYCROFT,
Secretary.

Fort St. George,
8th December 1845.

To

A. P. ONSLOW, Esquire,
Collector of Trichinopoly

(True Copy)

(Signed) T. PATTABIRAM,
Ag. Dy. Collector.

Extract from Diary of Miscellaneous Petitions form January 1845.

Number.	Name of village and Taluq.	Abstract of petition.	Date and Month of petition.	Date of receipt of petition.	Endorsement on the petition.	Date when petition was posted or delivered into the hands of petitioner.
158.	Document No. (19). Balasubra Mudali, Venkatasubbiah &c.,	Desiring to hold community for the purpose of nominating trustees or Dharmakartas for Srirangam & Jambukesvaram pagodas.	15th December. 1845.		As stated herein the names of those appointed (confirmed?) as Dharmakartas by the community assembled, should be submitted to the Collector by the community. The man of Ramasamy Mudaliar who has been appointed in the place of one of the deceased Dharmakartas, by the other "Stalattars" has been removed from the number (list?) of Dharmakartas as all the others are unwilling (to appoint him Dharmakarta). Enclosures returned. (True copy.) 17th Dec. 1845. W. E. WRIGHT, *Deputy Collector.*	

112

18th *December* 1845.

TO,

A. P. ONSLOW Esquire,

COLLECTOR OF TRICHINOPOLY DIVISION &c.,

We the undersigned Mirasidars, Sowcars, Officials and Merchants &c., of the body public residing at Srirangam, Trichinopoly and other places, beg leave to submit our humble Arzi which is as follows :—

As per your Endorse Order No. 158 issued on the 17th December on our Arzi, dated 15th December 1845, a general meeting was convened at Srirangam on the 18th instant, to consider about the management of affairs relating to Sri Runganatha Swami Temple and those attached to it namely, Oraiyur Nachiyar Kovil, Tiruvallarai Pundarikaksha Perumal Kovil, Samayapuram Mari Amman Kovil, Kilambil Esvaran Kovil, and Melambil Perumal Kovil. M .Veerasamy Iyer 1. T. Kanjamalai Mudaliar 2. and Sri Uttamanambi Iyengar 3. have been appointed Trustees or Dharmakartas of the said temples to manage the affairs relating to the same and a power of attorney with reference to their (Dharmakartas') procedure has been given them by the committee. Also M. Veerasamy Aiyar 1, T. Kanjamalai Mudaliar 2, and S. Ponnambala Mudaliar 3, have been appointed Trustees or Managers to Sri Jambukeswara Swami Pagoda and a power of attorney with reference to their procedure has been given them by us (the people through the committee.)

Further, as a committee is always necessary for the said Devastanam to give from time to time needful assistance to the said Dharmakartas in temple affairs, to consider doubtful matters and issue orders regarding them from time to time, to examine temple accounts, and to investigate any complaints against the Dharmakartas, we have appointed a committee of K. Venkata Subbaiyer, President, and A. Rangasamy Aiyengar, T. Venkata Subbaiyer, T. Veeraperumal Pillay, P. Krishna Row, Munnisamy Naickar, Kodialam Seshadri Aiyengar, members and Venkatasubbaiyar No. 2, for its Secretary.

Further, whenever it comes to our knowledge that either the Dharmakartas or the committee commit any mistckes or that any of the abovementioned posts falls vacant, we have resolved that a meeting of the community should be held by us to inquire and to appoint.

We, therefore, request that order be issued to the Huzur treasury directing that the mamool Mohini allowance paid by the Government to the said Devastanams, be paid on the (production of the) receipt of the abovementioned Dharmakartas, appointed by us.

18th December 1845.

P. S.—As M. Veerasamy Iyer one of the Dharmakartas elect of the Sri Jambukeswara Swami Kovil, says that on account of much work he cannot find leisure, we have appointed Appavoo Pillai in his stead.

(Signed) Shashagery Row.

(„) D. Balasubramania Mudaliar.

(„) S. Rengasawmy Ayengar.

(„) T. Venkatasoopiah and many others.

6th April 1849.

செ. 279.

லாலுகுடி தாலூகா தாசில புஜங்கராவுக்கு,

ஸ்ரீரெங்கம் தேவஸ்தானத்தைச் சேர்ந்த காரியங்கள் இப்போது செம்மையாயும் சமாதானத்துக்கு விரோதமில்லாமலும் நடத்தப்படவேண்டியதற்கு முடிவான ஏற்பாட்டைப்பண்ணும்படிக்காக அவசரமுள்ள ஸ்திதியிலிருக்கிறது. ஏனென்றால் ஷை கோவிலைச்சேர்ந்த விசாரணையை சர்க்காரிலிருந்து விட்டுவிட்டபோது தர்மகர்த்தர்களை பிறகு நேமிக்கிற காரியம் ஸ்தலத்தாரை பொருந்தததாக அப்போது ஏற்படுத்தப்பட்டிருந்தபடிக்கு அந்த அலுவலே ஷை ஸ்தலத்தார்கள் இதுவரையில் அந்தப்படி நடப்பிவிக்கவில்லை. ஆனதால் குடிகளில் யோக்கியமுள்ள தகுமானவர்களாய் இரண்டுபேரை தர்மகர்த்தர்களாக ஸ்தலத்தார்கள் நேமிக்கும்படியாயும் அந்த ஸ்தலத்தார்களில் ஒருவருமாய் தர்மகர்த்தர்வேலை பார்க்கும்படியாகவும் ஸ்தலத்தார்களுக்கு நீர் தெரியப்படுத்தவும். இந்த உத்திரவு ஆதியில் ஏற்படுத்தின திட்டப்பிரகாரம் சரியாயிருக்கிறதும் தவிர தொந்திரவு குழப்பம் முதலானதை நிவர்த்திசெய்ய இதுவே சரியான மார்க்கமாயிருக்கிறது. ஆகையால் மேற்சொல்லியபடி தர்மகர்த்தர்கள் நேமகமாகிறவரையில் மொயினி துகையை கொடாமல் நிறுத்திவைக்கப்படும். இனி ஆதியில் ஏற்பாடான நிபந்தனைப்படி கண்டிப்பாய் நடந்துவரவேணுமென்று நீர் ஷை ஸ்தலத்தார்களுக்கு தெரியப்படுத்தவும். இந்த உத்திரவுக்கு ஒரு நகல் ஷை ஸ்தலத்தார்களுக்கு நீர் கொடுக்கிறதும் தவிர இந்த உத்திரவு உம்மிடத்துக்கு வந்து சேர்ந்த தேதிமுதல் ஒருவாரத்தில் நடந்த காரியத்தைக்குறித்து ரிபோர்ட்டு செய்யவும்.

1849௵ ஏப்பிரல்௴ 6௳ }
மு. முசிரி. }

(ஒப்பம்) யே. கிருஷ்ணராவ், டி. ஜெ.

(ஒப்பம்) ஏ பி. ஆன்ஸ்லே,
கலெக்டர்.

10th April 1849.

அர்ஜி செ. 221.

லாலுகுடி தாலூகா தாசில்தார் மகா-ள-ள-ஸ்ரீ புஜங்கராயரவர்களுக்கு,

ஸ்ரீரெங்கம் கோவில் ஸ்தலத்தார் ஸ்ரீவேதவியாசபட்டர், ஸ்ரீ வாதூலதேசிகரெங்காசாரியார், ஸ்ரீ பராசரபட்டர், ஸ்ரீ உத்தமநம்பி நாங்கள் எழுதிக்கொண்ட யாதாஸ்து.

என்னவென்றால், ஸ்ரீரெங்கம் தேவஸ்தானத்துக்காக தர்மகர்த்தர்கள் நேமிக்கவேண்டியதைக்குறித்து ஆதியில் ஏற்பாடாயிருக்கிறபடிக்கு இறந்துபோன இரண்டு தர்மகர்த்தர்களுக்கு பதில் இதுவரையில் எங்களால் ஏற்படுத்திக்கொள்ளாமலிருந்ததைப்பற்றி இரண்டுபேர் யோக்கியமுள்ள தகுமான குடிகளை தர்மகர்த்தர்களாக எங்களால நேமித்துக்கொள்ளும்படியாயும் ஸ்தலத்தாரில் ஒருவரும் ஆதியேற்பாட்டுப்பிரகாரம் வருஷத்துக்கொருவர் கூட்டாயிருந்து அலுவல் பார்க்கவேணுமென்றும் இப்போது எங்களால் ஷை இரண்டு தர்மகர்த்தர்கள் ஏற்பாடாகிறவரையில் கோவில மொயினிப்பணம் கொடாமல் நிறுத்தப்படுமென்றும் இன்னம் சில விபரங்களை இ மாதம்௴ 6௳ யில் பிறந்த 279 செ. அசூர் உத்திரவு சாதராயிருப்பதை தாங்கள் எங்களுக்கு தெரியப்படுத்தினதுமல்லாமல் அசூர் உத்திரவுப்படிக்கி ஷை உத்திரவுக்கு சரியான நகல் எங்களுக்கு கொடுத்து நாங்களும் பார்த்துக்கொண்டோம்.

ஆதி ஏற்பாட்டுப்படிக்கு இறந்துபோன கிருஷ்ணராயருக்குப் பதிலாய் பாரிமிருசு உள்ளவராயும் வெகு யோக்கியமுள்ள தனவானும் வெகுஜனங்களுக்குள்ள தாமிலடாராயுமிருக்கிற ஸ்ரீரெங்கத்திலிருக்கும் ரெங்கசுவாமியப்பர் என்கிறவரையும், பிச்சாண்டார் கோவிலிலிருக்கும் பாரி மிருசுதாரராகிய இறந்துபோன சந்திரசேகரம்பிள்ளைக்கு பாத்தியஸ்தருன சிவகுருநாதபிள்ளையையும் நாங்கள் தர்மகர்த்தராக நேமித்துக்கொண்டிருக்கிறதுமல்லாமல் இவர்களுடன் கூடமுறை கிரமமாய் அலுவல் பார்க்கவேண்டிய ஸ்தலத்தார்களில் நாளது ௵த்திற்கு ஸ்ரீவேதவியாசபட்டரும் 2வது ௵த்திற்கு ஸ்ரீவாதூலதேசிக ரெங்காசாரியாரும் 3வது ௵த்திற்கு ஸ்ரீபராசரபட்டரும் 4வது ௵த்திற்கு ஸ்ரீஉத்தமநம்பியும் இந்தப்படிக்கு அசூர் உத்திரவு பிறக்கவேண்டியதைக்குறித்து தாங்கள் அதுக்குத் தெரியப்படுத்தவேண்டிய சங்கதி தெரியலாவதாக எழுதிக்கொண்டோம்.

1849௵ ஏப்பிரல்௴ 10௳.

(ஒப்பம்) ஸ்ரீ வேதவியாசபட்டர் என்று கிரந்தத்தில்
,, ஸ்ரீவாதூலதேசிகலு ரெங்காச்சாரலு என்று தெலுங்கில்
,, ஸ்ரீபராசரபட்டர் என்று தெலுங்கில்
,, ஸ்ரீஉத்தமநம்பி என்று கிரந்தத்தில்
,, புஜங்கராவ் தாசில்தார் என்று இந்துவில்

(True Copy)

W. E. WRIGHT,
Deputy Collector.

12th July 1849.

REVENUE DEPARTMENT.

Extract from the Proceedings of the Board of Revenue, dated 12th July 1849.

Read letter from the Collector of Trichinopoly under date 18th May 1849, reporting upon the subject of the Streerangam Pagoda.

(Here enter No. 51)

Read letter from the same officer, dated 28th idem, reporting upon Petition No. 948 of 1849.

(Here enter No. 53)

Para. 1. When measures were taken for the transfer of the Hindu religious establishments of the Trichinopoly District to the management of the Native Trustees, the arrangements, which, after much correspondence between the Board of Revenue and the Collector, were finally proposed by the latter officer for the administration of the three principal temples of Runganatha swamy and Jembokeishwaram in the Island of Srirungam and of the Toymanaswamy or Rock Fort Pagoda, were the following :—

2. The Chief of these temples or that of Runganathaswamy endowed with an annual Mayen Zabitah or money allowance of Treasury rupees 35,000 was to be confided to the charge of Krishna Row, formerly a Nazir in the Trichinopoly Zillah Court, and of Chundrashakaram Pillay not then in Government employ, but whose father, under the former Government had held a situation equivalent to that of a Head Sheristadar under the Company, who had himself been for a long time a Thasildar under the Native and the British rule, who was a large Mirasdar in the Trichinopoly and Tanjore Districts and universally regarded as a respectable man. With these were to be associated, as ex-officio Trustees, the Stalatars or chief officers of the Pagoda who were to serve in rotation each for a year. With the exception of the Stalatars in whose case succession to the office carried with it succession to the Trust, vacancies among the Dhurmakartas were to be supplied by the remaining members of their body.

From Collector 9th August 1841.

" Para 3 relates to Jambugasweram and Rock Fort Temples."

4. In submitting these arrangements to Government the Board's proceedings 6th October 1842, remarked, that except in the case of the Srirungum Stalatars whose successors in that office would in like manner be Trustees *ex-officio*, the provisions made for the appointment of successors to the individual Trustee then nominated were not what the Board could fully approve. this however "it was observed, need be no bar to the immediate execution of the plan as it is expected that the mode of succession will be settled generally by a legislative enactment." The Government Extract Minutes of Consultation 7th November 1842, approved the arrangements as appearing to be such as under the circumstances of the case were more likely to attain the object in view.

"Para 5 relates to Rock Fort Pagoda."

6. Kistna Row, one of the Runganadaswamy Trustees, appears to have died soon after his appointment, but no successor was nominated, and the management of the institution remained with the Stalatars and Chundrasacara Pillai until the death of the latter individual n 23rd September 1845.

7. Shortly before the decease of Chandrasacara Pillay, complaints had been made of alleged abuses and malversations in the affair of the Runganadaswamy Pagoda, and with the permission of the Magistrate, public meeting was held in the Pagoda, on the 24th August 1845, when a committee was appointed to inquire into the state of the institution. The Committee made a report to the effect that frauds had been discovered in the expenditure of the Pagoda amounting to rupees 2,610-11-5¼.

8. On the 25th October 1845, the Collector applied to the Board for instructions as to the course to be taken for filling any vacancies which had or might occur among the Devastanam Dhurmakartas of his District, and he referred particularly to the large Srirungam Pagodas. He suggested "as a simple way of arranging maters for the present to declare the next of kin of each deceased manager or either of his relations, who, in case of his refusal might be willing to undertake the office, his successor, and in the event of none of the relations consenting, to authorize the hereditary officers of the Pagoda to nominate a person to the office." In their reply, 8th December 1845, the Board objected to allow the next of kin or other relative of a deceased Trustee to succeed to his place in the trust absolutely and as a matter of a right, but stated that this course might with propriety be followed in all cases in which such succession was not generally objected to by the community interested in the Pagoda. When such might be the case, when the last Trustee had left no heirs or when the heirs might refuse to act, the person recommended by the general body of the worshippers should be appointed. If there were factions, and two or more contending parties were put forward, it would be for the Collector to determine as far as he might be able, the nominee of the majority and to recognize him as Trustee referring all other parties to the Courts. This rule, it was explained, was not to apply to *ex-officio* Trustees in whose case the trust would be attached to the office, and the succession to both regulated by the same principle. These instructions were laid before Government with the Board's letter of 16th March 1846.

9. On the 15th December 1845 an application was made to the Collector for permission to hold a meeting for the purpose of electing Trustees for the management of the Runganadaswamy and Jumbookaiswaram Pagoda in succession to those, Kistna Row and Chandrasacara Pillai, originally appointed and since deceased. The request was granted by Mr. Onslow, 17th December 1845, and he at the same time directed that one Ramasamy Mudelly who had previously been chosen Dharmakartah by the Stalattars in room of Chandrasacaram Pillay should be removed from the office, as his nomination was objected by the community. The meeting was convened accordingly on the 18th December 1845, and elected as Trustees for the Runganadaswamy pagoda (those for Jembookaswaram Pagoda will be noticed in the sequel) the following individuals: M. Veerasawmy Iyer, Commissariat Manager, D. Kunjamalay Moodelly afterwards, but not then Kash-keeper in the Hoozoor Treasury.

S. Wootamanunbee, one of the Pagoda Stalattars.

These nominations were approved by the Collector, 24th December 1845, and the Mohinee or regular Pagoda allowance was ordered to be paid to the nominees. A representation was afterwards *made by the other Stalattars praying that they might be allowed to succeed to the Trust in rotation, but the Collector, 11th February 1847, refused to interfere; thus departing from the principle upon which the arrangement for the management of the Pagoda had been orginally made when the transfer was effected in 1842. Towards the end of 1848, Kanjamalay Moodelly under orders of the Collector resigned his Trusteeship and his brother Balasubramania Moodelly was selected by the community, so called, to fill his place. Early in the present year the Collector ordered that in confirmity with the original arrangement, the Stalattars should be admitted to the Trust in rotation, in supercession of S. Woothamanambee who, since December 1845, had been the only Stallatar associated with the other Trustees in the superintendance of the Temple.

* 1st December 1846.

20th December 1848.

3rd February 1849.

"Paras 10 and 11 relate to Jembookeswaram."

12. The Board have in the foregoing paras succinctly traced the course of events connected with the appointment of Managers to the Runganadaswamy and Jembookaswaram Pagoda from the Original transfer of those institutions in 1842 to the early part of the present year. They have now to consider the changes in the administration of those Pagodas recently effected by the late Collector, Mr. A. P. Onslow, as explained in his letter of 18th May last prefixed to those preceedings.

114

13. In this letter, Mr. Onslow represents that when he returned to the Trichinopoly District, "the excitement occasioned by the exclusion of Avadya Pillay *alias* Appavoo Pillay "from all participation in the management to which he laid claim in virtue of his deceased "father having held the office of Dhurmakarta", had not ceased. That person died and the "claim was renewed on behalf of his son by his guardian and relative Sevagooroonada Pillay "who is now considered the representative, of the family. This claim was rejected by the "Board as far as Sevagooroonada Pillay's application to succeed to the management of the "Jembookeswaram Pagoda was concerned, but he "has never abandoned it and has continued to seek "a share in the management of that institution "(keys of the building containing valuable property "belonging to which he still retains) and also in "that of the large or Runganadaswamy Pagoda." "Mr. Onslow adds that "he is now persuaded that "the total rejection of Avadia Pillay from partici- "pation in the management is regarded by the "community in a point of view which deserves "serious consideration. The greatest dissatisfaction "prevails in consequence of the management of "the Pagoda having fallen almost exclusively into "the hands of Government officials and parties "connected with them while the independent mem- "bers of society, whose ancestors in many instances "contributed largely to the splendur, as it is esteemed of the Pagodas by presents of orna- "ments, jewels, &c., are altogether overlooked. It has been brought to his notice that by "disallowing all the Stalattars to participate in the management by rotation—as it had "originally been agreed, they should do, and continuing one only in office, great abuses had "arisen—and that the dissensions among these people might be productive of serious distur- "bance, for the Stalattars have obtained decrees of Court in their favour which clearly "establish their superiority in the Pagoda and afford the precedent by which the Magistrate "is guided in settling disputes between the rival streets of Vadagalais and Tengalais."

NOTE.

This is a mistake, the Board after had been informed of the death of Avadia Pillay directed that no charge should be made in the arrangement for the management of the Jembookaswaram Pagoda, but no claim to participate in the superintendance of that institution was over preferred to them on behalf of Sevagurunada Pillay, nor was any mention made to them of that individual, the Collector's letter of 18th December 1848, being confined to notifying the fact that Avadia Pillay had died, living two infant sons.

14. "Persuaded then that the appointment of Balasoobramaniam, the Cash-keeper's "brother, was not in accordance with the wishes of the community and having repeatedly failed "to bring out a good understanding between his party and Avidai Pillay's, convinced, more- "over of the necessity of settling the question, the late Collector directed the Stallatars in "accordance with system originally established to nominate two persons to the office. *i. e.*, in "the Runganadaswamy Pagoda. Five of the six Stallatars agreed on selecting Rangaswamy "Iyengar, a respectable Brahmin, whose family was honoured with the title of Rajah of the "Nizam of Hyderabad ane who has large possessions in Trichinopoly; and Sevagooroonada "Pillay who now represents Avidai Pillay's family, and Mr. Onslow had no hesitation in "confirming their nomination. The remaining Stallatar has since given his assent to the "appointment."

15. The individuals, who under the above arrangements, are now entrusted with the management of the several Pagodas, are, for the Runganadaswamy Pagoda.

1. Rungasawmy Iyengar.
2. Sevagooroonada Pillay.

(men of large landed property) and six Stallatars, one each year in rotation.

For the Jembukaishwaram Pagoda.

1. Veeraswamy Iyer.
(Commissariat Manager not known to possess land)

2. Trimul Row, Court Javabnevis.
(holds a small extent of land.)
For the Toymanswamy.

Baulasoobramaniam Moodalley, a merchant and considerable landed proprietor.

16. The advantages of the arrangement the late Collector considers to be these:—

1st. The management is more generally and, therefore, more fairly distributed instead of being confined to a few individuals.

2nd. It cannot be objected that the management is monopolized by Government officers.

3rd. The contending parties, viz., the Vadagaliars and Tengaliars in the great or Runganadaswamy's Pagoda are reconciled at all events for the presnt. The Vadagaliars being represented by Rungaswamy Iyengar and the Tengaliars by the Stallatars who have no longer any cause of disagreement; Sevrgooroonada Pillay not belonging to either party.

17. It cannot of course be expected that all parties should be pleased and the Managers of Runganathaswamy Pagoda, Veeraswamy Iyer and Baulasobramanium Moodelier who have just been superseded in that pagoda but who retain their offices respectively in the two other pagodas have got up a petition to the Board, praying for a reversal of the Collector's orders. This petition (No. 948 of 1849) has been presented to the Board and is that prefixed to these proceedings. The Collector concludes his letter with some remarks upon the manner, in which the meeting at which the petition is said to have been adopted, was arranged and upon the circumstances and position of the parties who took a prominent part in that assembly

18. In reviewing the Proceedings of the Collector, as detailed at large in the extracts from his letter above quoted, the Board of Revenue, cannot but commence with the expression of their regret that he shuld have made such extensive changes in the management of the Streerangam Pagoda without previous reference to and approval of higher authority. His conduct in this too seems the more surprising inasmuch as the orders of the Board upon his previous suggestion relative to the Jembookeswaram Pagoda must have shown him how averse they were to interference in the administration of the Trichinopoly religious intitutions except for the most cogent reasons. Nor can the Board perceive that the Collector has shown any pressing cause for the changes which he has effected especially for those made in Runganadaswamy Pagoda. The Trustees hitherto in charge of that temple were appointed in December 1845 by a meeting sanctioned by himself. Saving the resignation of Kanjamalay Mudelly, a measure ordered by Mr. Onslow, and the substitution of his brother Balasubramaneya Mudelley, the same parties had administered the affairs of the pagoda from the time of their appointment to that of their late removal or for nearly three years and a half. The Board do not understand that any part of the property of that institution was in the custody of Avadai Pillay or of his family and the disturbances excited by that individual and his party during the Acting Collectorate of Mr. William Elliot were, as far as the Board are informed, confined to the Jembookeswaram Pagoda. Veeraswamy Iyer one of the Trustees, was, it is true, a Government servant but so he was when first elected in 1845 and Kanjamalai Mudelly, who had taken Government employ since his election had been succeeded in the Trust by Baulasubramania Mudelley who was not in the public service. The retention of S. Wootamanamby as sole *ex-officio* Trustee, in place of the association of the Stalattars in the Trust in rotation, was doubtless irregular, and a deviation from the principle originally laid down in 1842, but this could have been remedied without displacing the other Members of the Trust body.

19. Again, it is not apparent why Avadai Pillay's representative Sivagoorunada Pillay, should have been placed in charge of the Runganadaswamy Pagoda, with which since the death of Chundrasakara Pillay in 1845 his family seem to have had no concern, rather than in charge of that of Jembookeswaram of which Avadai Pillay was for sometime Trustee and of which his family still retain the keys and much of the property. If a change was required in the arrangements for the administration of the Streerungam Pagodas, the appoint-

ment of Avadai Pillay's representative to take part in the superintendance of the Jembukeswaram Temple seems to have offered the most obvious and least violent mode of effecting it. It is true that the Collector's previous proposal in respect to the Pagoda had been overruled by the Board. But Avadai Pillay wrs then dead and no claim had been preferred on behalf of his representatives.

20. The nomination of Rungaswamy Iyengar and Sevagooroonada Pillay to be managers of the Runganadaswamy Pagoda by the election of the Stalattars is stated by Mr. Onslow to have been "in accordance with the system originally established". But the mode of supplying vacancies among the Trust body by self-election was objected to by the Board in their letter to the Collector of 26th August 1841, as "tending to invest that body with the character of a close corporation" and in their proceedings of 6th October 1842 when submitting the Collector's arrangement to Government, the Board observe that the provisions made for regulating the succession to those Trustees who were not so *ex-officio i. e.,* by election among the other members of the Trust, were not what they could fully approve. This principle of election by means of the Pagoda officers was also in some degree departed from in the course recommended by the Collector to the Board in his letter of 25th October 1845, in which he advised that the Trusteeship should be hereditary in the family of the original Trustees and that the servants of the Pagoda should be called on to nominate only in those cases, wherein the heirs of the deceased Trustee might refuse to act; and it was not recognized by the Board in their instructions of 8th December 1845 whch directed that in case of any difference of opinion the party acceptable to the majority of the community should be appointed. The late Trustees of the Temple of Runganadaswamy were elected at a public meeting held apparently in consequence of those instructions and after Mr. Onslow had himself set aside the individual chosen by the Stalatars. Their nomination was confirmed by the Collector who continued to recognize them as managers for more than three years. Their late exclusion from the office and the substitution of other* parties chosen by a totally different agency is, to say the least of it, very embarrasing.

See para 9.

21. In withdrawing from all connection with the native religious establishments of the country, it has been the anxious desire of the Government and the Board of Revenue that the management of those institutions should devolve upon parties duly qualified by station and character for the Trust, and enjoying the full confidence of the native community. The changes lately introduced by Mr. Onslow in the constitution of the trust bodies charged with the superintendance of the Streerungham Pagodas, appear to possess certain advantages, pointed out in para 9 of his letter, and although they have been carried out without authority, the Board would not object to them if assured that they were urgently, called for, and that they are satisfactory to the great body of worshippers interested in the institutions. But it appears to them that further enquiry on this point is necessary. They, therefore, resolve to forward copy of these proceedings to the present Collector of Trichinopoly, Mr. Maltby, and to request that with reference to the observations above recorded, he will communicate unreservedly with all classes and will endeavour to learn their sentiments upon the recent arrangements and to ascertain whether the parties, to whom the administration of the Streerangham Temples is now confided, are generally acceptable to the community. They resolve also to furnish copy of the Proceedings to Government both because it is probable that petitions will be presented to them upon the subject and because the matters discussed with proceedings forcibly show the need of some legal provision for regulating the succession to vacant Trustees-ships ———in the native religious establishments of the country.

Ordered that the following Endorsement be passed on petitions Nos. 948, 1101 and 1283 of 1849.

"Petitioners are referred to the Collector, to whom instructions have been sent in the matter of these petitions."

(A true Extract,)

(Signed) T. PYCROFT,
Secretary.

Extract from the Miscellaneous Petition Diary No 9 of 1849

155.	Stree Vadavyasa Butter and 3 others, Durmakurthas at Streeranghaım Pagoda	Stating that they removed the present Durmakurthas and request permission to appoint new Durmakurtas.	27th	October	1849.	The Collector does not recognize these petitioners as Durmakurtahs with the exception of the one Stalattar who is acting in rotation with the two Durmakurthas appointed to take charge of the Pagoda. Petitioners have no authority whatever to remove the Durmakartas and if they interfere to prevent the Durmakartas exercising the authority entrusted te them, they will have to answer for their conduct. (Signed) E. MALTBY, *Collector.* Trichinopoly, Collector's Office, *29th October* 1849. (True Extract) (Signed) T. PATTABIRAM, *Acting Deputy Collector.*

116

10th January 1850.

TO

THE SECRETARY TO THE BOARD OF REVENUE,

Fort Saint George.

Sir,

I have the honor to acknowledge extract from the Proceedings of the Board of Revenue under date the 12th July last containing the Board's remarks on the Subject of the recent changes in the management of the Streerungham Pagodas and directing me "to communicate unreservedly with all classes and ascertain whether the parties to whom the administration of the Pagodas is now confided are generally acceptable to the community."

2. The Proceedings of the Board detail with such fullness the measures previously taken for the management of these institutions since Government placed them under native Trustees, that it is only necessary for me to observe preliminarily that the information which I am called on to furnish is confined to the two Pagodas of Runganadhaswamy and the Jambukeswara in the Island of Steerungam, no change having occurred in the management of the Tayman or Rock Fort Pagoda.

3. It will be proper for me to allude first to the Runganadaswamy Pagoda, as the principal change has been made in its management and it is the institution of most importance. It seems also necessary that a decision should be passed regarding it before arrangements can be satisfactorily considered for the second or Jambookeswaram Pagoda.

4. Veerasamier, Manager of Commissariat Office, and Balasubramania Moodelly had superintended the affairs of the Runganathaswamy Pagoda for 3 years, in conformity with their election as Trustees by the Native Hindoo community in December 1845 when Mr. Onslow in April last placed the Pagoda in the hands of Rungaswamy Iyengar and Sivagooroonadha Pillai, upon the nomination of the Stallatars directing that one of the Stalattars in annual rotation should act with them as an ex-officio Trustee. Mr. Onslow reported the reasons which induced him to make their alteration and the Board while expressing regret that a change had been thought necessary "observed that they would not object to the new arrangement if assured that they were urgently called for and that they are satisfactory to the great body of worshippers interested in the institution."

5. I was, therefore, called on to report the sentiments of the community which I have hitherto delayed doing for several reasons. It seemed to me unadvisable to add to excitement and party-spirit by calling a meeting or taking other public steps to learn the wishes of the people, and I therefore sought to ascertain them by conversation with persons of respectability as opportunities occurred. This course seemed to have the advantage both of allowing time for the party-spirit excited by the changes to subside and for judging if the new Trustees proved successful in giving satisfaction to the community. I was anxious to avoid the necessity of further changes, and hoped that the advantages anticipated by Mr. Onslow would arise from having as Trustees persons who were unconnected with the public service and who from the mode of their election were likely at all events to act harmoniously with the Stallattars.

6. I regret, however, that it is my duty to report that the present arrangements have failed in giving satisfaction to the community and that the internal affairs of the Pagoda have not been so conducted as to prevent frequent and strong complaints on the part of the servants of the establishment, the Stallattars and the Tengaliar party whose ways are to be followed in the Pagoda according to the decrees of the Civil Courts; so violent indeed have the disputes become that some change or modification in the management would seem indispensable euen if public opinion was more in favor of the present Trustees than it appears to be. On this point my enquires lead me to the conclusion that while each party has some adherents from personal or family motives and while the general body of the worshippers

would be satisfied with any arrangement which secured the orderly management of the institution, the majority of the community are in favor of the late and against the present Trustees.

7. I had hoped that it might have been possible to induce the two parties to lay aside their dessensions and agree to a plan for the common management of the Pagodas. I find, however, that this is impracticable from the unwillingness of the ex-Trustees to act with Rungaswamy Iyengar and it seems, therefore, necessary either to replace the institution in the hands of the late Managers who were appointed in 1845 by the community or proceed to new election, according as the Board may deem advisable.

8. To give the Board the fullest opportunity for deliberation on this point, I should mention that the late changes have brought into prominence the disputed point whether the right to nominate Trustees is vested in the community at large, or in the Stallatars. The Board have indeed, already expressed their views on the point but the importance which the subject has now acquired renders it necessary that in future arrangements the question should be authoritatively settled.

Proceedings of Board, 8th December 1845 to 12th July 1849, para 20.

9. Much of the excitement which the late changes caused has apparently arisen from the right of electing Trustees having been taken away from the community who regard the institution as the property of the Hindoo public and assigned to the Stallatars, who are generally looked on as merely hereditary ministerial servants subject to the Superintendents of the Pagoda in the discharge of their duties, and unpossessed of any private right to the institution, although entitled by their position to weight and influence in the conduct of its affairs. The Stallatars on the other hand are anxious to obtain the entire control of the pagoda and its funds, and have been encouraged by the recent changes to assert their claims in an extraordinary manner. They have addressed me petitions stating that they had ordered the dismissal of the present managers and intended proceeding to the nomination of others, and I was obliged to take notice magisterially of the conduct of the Stallatar now in office as *ex-officio* Trustee in consequence of his placing his private seal on the Treasury and using force to prevent his colleagus, the majority in the Committee of management from having access to it. To show the views of the Stallatars I beg to enclose for the Board's perusal a copy of an Arzee addressed to me by them on the 8th instant together with my endorsement upon it.

10. The importance of the question which arises from the conflicting claims of the Hindu community and the Stalatars has made it necessary for me to enter into this detail for the purpose of representing the state in which matters stand and enabling the Board to decide on the steps which are now most advisable for providing for the management of the Pagoda. The agitation of this question is in itself a matter of regret as it is likely to affect unfavorably whatever arrangements may be made for the future orderly management of the institution and render their success more difficult even if any immediate decision be given on the point.

11. With respect to the Jambukeswara Pagoda there will be apparently no difficulty when the arrangements for the principal Dewastan are decided upon. If Veeraswamier and Balasoobramonya Moodelliar were replaced in the management of the Runganadhaswamy Pagoda, the former would, I am confident, be ready to resign his Jambukeswaram Trusteeship should such be the pleasure of the Board in order that the community might have the opportunity of electing Sivagooroonada Pillay, as the representative of Avadai Pillay on his giving them satisfaction regarding the jewels of the institution supposed now to be in the Treasury room of which he appears still to possess the key. The present managers applied to me to be furnished from the Government records with an authenticated copy of the list of property belonging to this pagoda for the purpose of bringing a civil suit for its recovery against Seva-

gooroonadha Pillay, but I have hitherto deferred compliance with their request in the hope that matters might be eventually settled without the necessity of recourse to the Law Courts.

12. I have not considered it necessary to forward with this report copies of the numerous complaints which have been presented to me against the present managers of the Runganadaswamy Pagoda, especially as many similar addresses appear to have been sent direct to the Board. I deem it, however, proper to enclose for the Board's information copy of a charge lately made to me by the present against the ex-managers, accusing them of having executed the proper expenditure of the pagoda to the amount of Rupees 9,884-12-10 during their turn of office and of having removed money from the Treasury when directed to give up their trust. I was called upon to take cognizance of these charges under Regulation VII of 1817, but my power to do so would seem doubtful as the accused are not now the office-holders described in Section XVI and after taking also into consideration the time which had intervened before the charges were made, the state of party-spirit and the confidence which the majority of the community still show in the late Managers. I limited myself to calling upon them for explanation of the accusation; a translated transcript of the reply which they made to my call is enclosed for the information of the Board.

I have &c.,

(Signed) E. MALTBY,

Collector.

Trichinopoly,

10th January 1850.

(True Copy)

(Signed) T. PATTABBIRAM,

Ag. Deputy Collector.

19th January 1850.

To

THE SECRETARY TO THE BOARD OF REVENUE,

Fort Saint George.

Sir,

In reference to my letter of the 10th Instant reporting on the management of the Sreerungam pagodas, I have the honor again to address on the subject, for the purpose of representing that the animosities and quarrel to which I before alluded, have reached a height which daily threatens disturbances of the peace and renders it necessary that as early a decision as is practicable should be given regarding the parties to whom the superintendence of the pagodas is to be hereafter entrusted.

2. Of the two new trustees appointed by Mr. Onslow, Rungasami Iyengar has taken the leading part, with the concurrence and support of the other who belongs neither of the rival parties in managing the affairs of the institution. Rungasami Iyengar is connected with the Vadagaliars, but a temporary alienation from his own party in consequence, I understand, of some family dispute prevented his being unacceptable to the Tengaliar Stalattars by whom he was recommended to the Collector for the appointment.

3. Dissentions however soon arose between him and the Stallatars in office as Ex-officio trustees in consequence of contention for the chief authority. Rungasami Iyengar has insisted on having the principal rule for which the Stalattar has also contended representing that the fact of the other trustees having been nominated by the Stalattars showed that they were merely meant to be his assistants and subordinates.

4. It wold seem, that since these disputes separated Rungasami Iyengar from the Tengaliars he has sought to obtain the favor and suport of the Vadagaliars' party and for this purpose has been guilty of several unjustifiable and improper acts' Besides changing many of the Pagoda servants and usages he removed the Tengaliars' sign which he had previously allowed to be placed over the principal Gateway and caused much risk of serious disturbance during the Pongal feast. On this occasion the festival was interrupted and the procession with the idol detained for a day on the public road because some of the Tengaliars were prevented taking their customary parts in the ceremonies. The anger and exitement which was thus created in a large crowd composed not only of the 2 rival sects but of general worshippers made it difficult to maintain the public peace.

5. Although it has been my endeavour to interfere as little as possible in the Pagoda affairs I find it necessary to take Magisterial notice of the late occurrences alluded to above. It appears however to me that public peace and order cannot be relied on while the Pagoda continues dnder its present management and I therefore request the early orders of the Board on my late communication.

19th January 1850. (Signed(E. MALTBY,
Collector.

REVENUE BOARD OFFICE,
Fort Saint George,
23rd January 1850.

No. 41.

From

T. PYCROFT, ESQUIRE,
Secretary to the Board of Revenue.

To

J. F. THOMAS, ESQUIRE,
Chief Secretary to Government,
Revenue Department.

SIR,

Para 1. With reference to the Proceedings of this office under date 12th July last, and to the Extract Minutes of consultation of the 31st idem, I am directed by the Board of Revenue to submit, for the consideration and orders of the Right Honorable the Governor-in-Council the accompanying letter from the Collector of Trichinopoly, dated the 10th instant, relative to the management of the Streerangham Pagodas in his district.

2. In the proceedings above referred, the Board of Revenue received the changes which had been made among the parties nominated to the administration of the affairs of the chief Temples in the Island of Sreerangham, those of Runganadaswamy and Jumbukeswaram, from the time that those institutions were first transferred to the charge of Native Trustees in 1842 to that of the introduction of the present arrangements in the early part of the past year. While they regretted that the Collector Mr. Onslow should have considered it necessary o disturb the state of things which he found subsisting on his return to the district, they stated hat they would not object to the changes which he had effected, if assured, that those

measures were urgently called for, and were satisfactory to the great body of the worshippers interested in the institutions. On these points, however, further enquiry seemed necessary, and the present Collector Mr. Maltby was therefore desired to communicate unreservedly with all classes and to endeavour to ascertain their sentiments upon the recent arrangements and whether the parties to whom the administration of the Srirangham Pagoda was now confided were generally acceptable to the community. The Government before whom the above proceedings were laid, Extract Minutes of Consultation, 31st July 1849, deferred the final consideration of the subject until Mr. Maltby's reply had been received His answer now under submission furnishes the required information.

3. In this communication Mr. Maltby states that the existing arrangements for the management of the Runganadaswamy Pagoda, which is the most important of the Srirangham Temples have failed to give satisfaction to the community at large, or even to secure harmony among the Trustees themselves. So violent, indeed, have the disputes become between these latter parties that some modification in the management would seem indispensable, even if public opinion were more in favor of the present Trustees than it appears to be; but in regard to this point, the inquiries instituted by the Collector have led him to the conclusion that while either party has its partisans, and while the general body of the worshippers would be satisfied with any arrangement which would ensure the orderly management of the institution, the majority of the community are in favor of the late and against the present Trustees. Under these circumstances and the impracticability of reconciling the contending factions, it seems to Mr. Maltby necessary either to replace the institution in the hands of the late managers who were appointed in 1845 or to proceed to a new election. With a view further to assist the Board in deciding upon his last alternative he observes, that the late changes have brought into prominence the disputed question whether the nomination of Trustees is vested in the community at large or in the Stalattars, and that much of the late excitement has proceeded from the right of election having apparently been thereby taken away from the community, who regard the institution as the property of the Hindoo public, and conferred upon the Stalattars who are generally looked on as merely hereditary ministerial officers of the Pagoda.

4. The Board learn with much regret that the arrangements made by Mr. Onslow for the management of the Runganadaswamy Pagoda, which though carried out without authority, might, it was hoped, have resulted in the better ordering of that institution, have so totally failed in accomplishing that object. Under the circumstances represented by Mr. Maltby, the removal of the present non-official Trustees seems urgently called for. With respect to the two modes open to adoption for supplying their room, it seems to the Board that it would be in every way preferable to reinstate the former Trustees rather than to elect others. The late managers were formerly chosen by the community in 1845 and continued in charge of the pagoda affairs with the sanction of the constituted authorities for more than three years. Their removal in 1849 was an act of the Collector done upon his own responsibility and without the approval or even cognizance of his official superiors. Their re-appointment would simply be a recurrence to the previous order of things which it has been sufficiently shewn should never have been disturbed. On the other hand to have recourse to an election would not only add to the excitement and party spirit already too prevalent, but would involve the decision of the mooted question, regarding the right of nomination. On this question generally, as between the Hindoo community and the Stalatars, the Board have already expressed their opinion but the agitation of the matter seems at present uncalled for and unadvisable. It will, it is hoped, ere long be set at rest by a legislative enactment.

5. Under these considerations, the Board would beg to recommend that the Collector be empowered to replace the administration of the affairs of the Runganadaswamy Pagoda at Srirangam in the hands of the former managers, Veerasamy Iyer and Balasubramania Mudely, One of the six Stalatars being associated with them yearly in rotation as *ex-officio* Trustee. It will be seen that when the affairs of this institution have been arranged those of the less important Pagoda of Jambukaswaram are not expected to present any difficulty and their

adjustment may, the Board think, be left to Mr. Maltby to be effected in some such manner as that suggested in para 11 of his letter.

Revenue Board Office,
Fort St. George,
23rd January 1850.

I have, &c.,
(Signed) T. PYCROFT,
Secretary.

Govt. Proceedings dated *8th February* 1850.

Approve the recommendation of the Board and direct "to replace the administration of the affairs of Sriranganathaswamy Pagoda at Srirangam in the hands of the former managers Veerasami Iyer and Balasubramania Mudeliar, one of the 6 Stalatars being associated with them yearly in rotation as *ex-officio* trustee."

Board's Proceedings dated 11th February 1850.

Forwarding a copy of the above proceeding to the Collector for his information and guidance with reference to his letter dated 10th and 19th ultimo.

23rd April 1850.

Extract from the Diary of entry of sannad addressed to the Devastanum Dharmakartas from Huzur in the year 1850.

To

Veerasamy Aiyer and Balasubbramania Mudaliar, who were Managers of the Srirangam Devastanum.

As you have been appointed, as per order of Government, Managers of the said Devastanam as usual, you shall take along with you every year one of the "Stallattars" by turns, and conduct the affairs of the said Devastanum. Besides that, you shall take charge of the management, &c., of the said Devastanum from Sivagurunatha Pillay, who is now doing duty as Dharmakarta of the said Devastanum and you shall give a receipt for the same.

23rd April 1850.

Camp, Trichinopoly.

As the diary from which this extract is taken does not contain the signature of the Collector, the signature is not given here.

119

14th September 1861.

AT THE COURT OF THE SUDDER ADAULAT.

PRESENT:—T. L. STRANGE Esquire., } *Judges.*
H. FRERE Esquire., }

Raja Srimantha Rangaswami Iyengar Bahadore—Appellant.

Veraswami Iyer and the Collector of Trichinopoly—Respondents.

Regular Appeal No. 13 of 1860 from the decree of the Civil Judge of Trichinopoly. in O. S. No. 1 of 1860.

The Plaintiff on certain proceedings being taken against him resigned the office of Darmakartha of the Srirangam Pagoda; subsequently his successor the first defendant agreed to resign in his favor, but on the Collector the 2nd defendant refusing to ratify the appointment, the first defendant withdrew his said consent. Plaintiff brings the suit to enforce his right to the office under the aforesaid nomination of the 1st defendant.

The Civil Judge dismissed the Suit as altogether unfavourably.

The Plaintiff appeals on the following grounds:—

I. *A.* is a legal substitution of appointment of Plaintiff as Trustee.

II. *B.* corroborates *A.* and establishes that appointment.

III. Such appointments have from time to time been recognized and acted upon under and as shown by *E. F. H. I. J. K. L. & M.* and the other oral and documentary evidence in the case.

IV. *N. O. P. Q. R. U. W. Y. & I. J.* absolve Plaintiff from all the matters therein mentioned.

V. Nos. 1 2. & 6 & 7 are not evidence.

VI. No misconduct has been established against the Plaintiff.

VII. The defendants have no case in Law or in fact against the Appellant's claim.

The Plaintiff submits that the decree of the Civil Judge contains no findings on the evidence and no specific adjudication on any matter of Law.

The appointment to the Office of Darmakarta and the mode in which vacancies are to be filled, are regulated in the Plaintiff's Exhibit *E.* This is a Hukamnamah dated in 1842 and issued by the Collector when the Government relinquished the charge of the Pagoda in common with other establishments of the like kinds. It therein appears that five persons were nominated to the office which each was to hold in rotation for a year and on a vacancy occurring, the remaining Darmakartas were combinedly to elect a successor. The Exhibit *M.* shows how the Plaintiff originally received his appointment and it was made to strict conformity to the said rule, that is., on two vacancis occurring in the year 1849, the Plaintiff and others were elected to the office by the three remaining Darmakartas.

That one Darmakarta should resign in favor of another of his own selection has not been proceeded; for to make such nomination would be in violation of the rule for nominations laid down in the aforesaid Exhibit *E.* The Plaintiff not having been appointed to the office in the prescribed manner, the Court can recognize no right in him to take it up. They therefore affirm the decree of the Civil Judge with costs.

With the second Defendant's reason for refusing to recognize the Plaintiff's nomination by the first defendant, on the course of his conduct and the character, the Court no concern seeing that the nomination is in itself invalid.

14th September 1861 (Signed) T. L. STRANGE,
H. FRERE,

Original Suit No. 54 of 1870.

TO THE CIVIL COURT OF TRICHINOPOLY.

Plaintiffs. *versus.* *Defendants.*

Sri Parasara Bhatter alias Sri Sudarsana Bhutter, guardian of minor Ragunatha Bhutter, adopted son of Stalattar Sri Parasura Bhutter alias Tiruvengada Bhutter.

1 Vembier
2 Subbaramier
3 Sreenivasathathacharyar
4 Thurmadoss
5 Sami Chetty
6 Parasara Alasinga Bhutter
7 Kodialum Rangasawmi Iyengar
8 Vedaviasa Vencata Bhutter
9 Vaduladeshika Rangachari
10 Voothamanambi Iyengar
11 Vaduladeishika Annangar Sreerungachary
12 D. Periaswami Mudelliar
13 Krishniengar

Plaint filed by Plaintiff under Section 26 of the Civil Code.

Valued ... ... Rupees 4600.

1. The Pagoda of Sri Ranganathaswami at Srirangam, and the adjoining temples at Orayur, &c., have been existing from time immemorial. They are the most celebrated in Southern India. In the days of the ancient Hindu Rajahs and Mahomedan Nabobs, they were administered by the ancestors of the plaintiff and of the defendants 8 to 11. They have been hereditary trustees and "Stalattars" of the said temples. It has been admitted even by the present British Government that the hereditary right to manage the said SriranganadaSwami's and other temples aforesaid, vested in the families of the plaintiff and of the defendants 8 to 11, both before and after the Regulation VII of 1817 came into force, which Regulation empowered the Government to take the management of temples into their hands, and they (Government) had managed all the affairs of the said temples after consulting them (ancestors of plantiff and of the defendants 8 to 11.)

2. In 1842, when the Government gave up their interference with the Hindu temples and other religious institutions, they made a permanent transfer of the right to manage and administer the affairs of the said temples to the ancestors of the plaintiff and of the defendants 8 to 11, the hereditary trustees and rightful owners of the said temples, and also to two other individuals whom they appointed as managers thereof. The said Government, in their Hukkamnamah (order) dated 12th November 1842, had not only admitted that the ancestors of the plaintiff and of the defendants 8 to 11, and their heirs were entitled to co-operate with the said two managers by turns each a year, but empowered them also to nominate a successor if any vacancy occurred among the said two managers. This power the Collector and the Revenue Board have confirmed by their subsequent proceedings.

3. Under the said Hukkamnamah and the several proceedings passed with reference thereto, the ancestors of the plaintiffs and of the defendants 8 to 10 had been, by turns, exercising the power vested in them as Darmakartas of the said temple, and enjoying free [illegible]m the interference of any authority, also the hereditary mirasi privileges accorded to the office and to the dignity of their being the "Stalattars" of the said temple; and specified [illegible] plaint schedule A.

[illegible] Such being the case, the defendants 1 to 5, under the assumed title of members [illegible]cal committee appointed under Act XX of 1863, have entered upon the said temple [illegible]nd contrary to law, and usurped the management of the same. In the year [illegible]st or 1867, when it came to the plaintiff's turn to exercise the mirasi right as

120

Darmakarta of the said temple, the defendants 1 to 5, on the 13th November, without any just title or reason, caused obstruction, and appointed, instead, the 6th defendant who possessed no right whatever, and appointed also the 7th defendant as manager in 1868.

5. The Sriranganadhaswami's and other temples aforesaid are the "Adhinam" temples attached to the families of the plaintiff and of the defendants 8 to 11. To interfere with the management thereof the defendants 1 to 5 have no right whatever under Section 4 of Act XX above mentioned; and the 6th and 7th defendants' nomination made by them is also not valid. The obstruction caused to the plaintiff's exercising the right to the office of Darmakarta, when he had his last turn in the year Prabhava aforesaid, is illegal, unjust and unreasonable.

The plaintiff prays therefore that the temples of Sriranganadhaswami, &c., aforesaid may be declared as "Adhinam" temples appertaining to plaintiff and the defendants 8 to 11 who are the hereditary Stalattars and rightful owners of the same; that they are the templs falling under Section 4 aforesaid, and therefore not subject to the jurisdiction of the defendants 1 to 5 who are the members of the committee: that the 6th and 7th defendants who have been appointed as managers by the defendants 1 to 5, may be removed; that the defendants 1 to 7 may be restrained from interfering with the management of the said temples; and that the plaintiff's right to exercise and enjoy, in his turn once in four years, the hereditary mirasi privileges attached to the office of Durmakarta, may be established.

As the defendants 8 to 12 have not come to an agreement with respect to the institution of this suit, they have been made parties.

This plaint is presented on a stamp of rupees 10 value as provided in Schedule II of the Court Fees Act of 1870.

(Here enter verification).

18th October 1870. (Signed) SRI PARASARA BUTTAR. *alias* SUDARSANA BUTTAR.

DECREE.

Original Suit No. 54 of 1870.

In the Civil Court of Trichinopoly.

PRESENT :— R. DAVIDSON, Esquire, *Civil Judge.*

L. S.

Plaintiff.	*versus.*	*Defendants.*
Sri Parasara Bhutter *alias* Sri Sudarsana Bhutter, guardian of minor Regunada Bhutter.		Vembier died and 12 others.

1. Plaintiff as guardian of the minor Regunada Bhutter sues to obtain

A. A declaration of the minor's right to hold once in four years the office of Durmakurta or trustee of the Srirangam and other Pagodas mentioned in the plaint.

B. A declaration of the minor's hereditary right to enjoy the mirassy and other privileges appertaining to the said office of Dhurmakartha, and specified in the plaint schedule without the interference of all or any of the defendants therewith.

C. A declaration that the plaintiff, and the 8th, 9th, 10th, and 11th defendants are the hereditary or authinum proprietors of the Srirangam and other aforesaid appurtenant Pagodas which come under the category of the religious institutions described in Section 4 Act XX of 1863, and over which as such, the 1st to 5th and 13th defendants, as committee members appointed under the Act have no power or control and.

D. To obtain the removal of the 6th and 7th defendants from their appointments of Durmakartars of the said pagodas and to restrain the defendants 1 to 7 from interfering in any way with the affairs of the said pagodas.

2. The Court decrees and hereby declares that the minor plaintiff whose legal adoption has been proved and who was dismissed from his office of Durmakartha by the 1st, 2nd, 3rd and 5th defendants on wholly insufficient grounds is entitled to hold once in fine years the office of Darmakartha or trustee of the plaint pagodas as hereditary Stallattar, that the plaint pagodas come under Section 3 ActXX of 1863; and that the Committee members have a right to exercise over them the powers conveyed by Section VII of the Act, but subject to the conditions laid down in the Hookumnamah H. and the judgement of the late Sudder Court in Regular Appeal No. 13 of 1860. The Court further decrees that the 7th defendant be removed from his present appointment of Durmakartha, and that each party do bear his own costs in the suit.

Given under my hand and the seal of the Civil Court of Trichinopoly this 26th October 1872,

[Signed] R. DAVIDSON,
Civil Judge.

JUDGMENT

Original Suit No. 54 of 1870.

In the Civil Court of Trichinopoly.

PRESENT:—R. DAVIDSON, Esquire, *Civil Judge.*

1. Plaintiff, as guardian of the minor Ragunada Bhutter sues to obtain [A] a declaration of the minor's rights to hold once in four years the office of Dhurmakartha or trustee of the Srirangam and other pagodas mentioned in the plaint.

B. A declaration of the minor's hereditary right to enjoy the merassi and other privileges appertaining to the said office of Durmakartha, and specified in the plaint schedule, without the interference of all or any of the defendants therewith.

C. A declaration that the plaintiff and the 8th, 9th, 10th, and 11th defendants are the hereditary or autheenam proprietors of the Srirangam and other aforesaid appurtenant pagodas which come under the category of the religious institutions described in Section 4 Act XX of 1863, and over which as such the 1st to 5th and 13th defendants, as committee members appointed under the Act, have no power or control.

D. To obtain the removal of the 6th and 7th defendants from their appointments of Dhurmakarthas of the said pagodas, and to restrain the defendants 1 to 7 from interfering in any way with the affairs of the said pagodas.

2. The 1st defendant who was *exparte*, demised during the pendency of the suit, and his place was taken by the 13th defendant.

The 2nd, 3rd, and 7th defendants defended the suit and put in written statements.

Of the other defendants, the 6th, 8th, 11th, and 13th were *exparte*, and the 4th 5th, 9th, 10th and 12th, supported the plaintiff's claim.

3. The defendants 1 to 5 and subsequently the 13th were the committee members appointed under Act XX of 1863 to the Trichinopoly Circle. The 6th and 7th defendants were Dharmakarthas appointed to the plaint pagodas by the said Committee members, of whom the 6th defendant was appointed in the place of the plaintiff who was dismissed by the said Committee members in 1867 for failing to furnish certain accounts which were called for.

The 8th, 9th, 10th, and 11th defendants claim with the plaintiff to be hereditary or autheenam proprietors of the plaint pagoda.

The 12th defendant was appointed Durmakartha of the plaint pagodas by the Collector in 1863.

4. The 2nd, 3rd, and 7th defendants contended by written statements in substance that [A] the suit ought to be dismissed under the ruling of, the High Court under the 23rd July 1869 for want of the Court's sanction enabling the plaintiff to sue on behalf of the minor. [B] They contended that the alleged adoption of the minor was not true in fact or valid at law. [C] That the plaintiff and the defendants 8 to 11 were not the hereditary or autheenam proprietors of the plaint pagodas. [D] That the plaint pagodas come under Section III, Act XX of 1863, and as such are subject to control of the said Committee members and [E] that the 6th & 7th defendants were not liable to dismissal as affirmed by the plaintiff.

5. The following issues were set for trial, viz.,

1st. Whether, as affirmed by the 7th defendant and denied by the plaintiff, the latter ought to have obtained the sanction of the Court before instituting the present suit on behalf of the minor.

2nd. Whether, as affirmed by the plaintiff and denied by the 2nd, 3rd, and 7th defendants, the minor plaintiff's adoption by Tiruvengada Bhutter's widow was true in fact and valid at law or not.

3rd. Whether, as affirmed by the plaintiff and denied by the 2nd, 3rd, and 7th defendants, the plaint pagodas come under Section 4, Act XX of 1863, or whether as affirmed by the 2nd, 3rd, and 7th defendants and denied by the plaintiff they come under Section 3 of the said Act

6. As at the hearing for issues, it was admitted on all sides that the plaintiff has an hereditary right to come in as a Dhurmakartha or trustee of the plaint pagodas by rotation once in four years (the 11th defendant being passive in the matter) provided he is faithful to his trust, and as it was further admitted that at the time when the issues were being framed, he was occupying the position of Dhurmakartha by rotation, no issue on that point was recorded.

7. The plaintiff put in 44 document ranging from 1805 to 1869, all of which having been admitted by the contending defendants or proved, were marked A to R. R. He examined two witnesses, and dispensed with the others.

The 2nd, 3rd, and 7th defendants put in 64 documents, which having been admitted by the plaintiff's vakil, were numbered 1 to 64. They examined no witnesses, having dispensed with all.

8. The Court examined one witness, the plaintiff in the suit, on behalf of the minor, and placed Exhibit SS. on the file.

On the 1st issue, the Court ruled that the plaintiff be permitted to proceed with the suit, because the plaintiff was admittedly the minor's natural father; he had been nominated, in his uncle Thiruvengada Bhutter's will as guardian of his (Tiruvengada Bhutter's) adopted son; he had repeatedly acted in different Courts in such capacity; no reason was assigned against his acting in the present case on the score of personal disqualification; he appeared to the Court to be a proper person, and he undertook to be answerable in writing for the costs of the suit.

9. In regard to the 2nd issue, the plaintiff examined two witnesses, and the Court examined the plaintiff as a witness. Their evidence taken in conjunction with that contained in the plaintiff's Exhibits B, C, and D, fully established the genuineness of the plaintiff's Exhibit A, viz. the "will" dated 27th February 1859 which Tiruvengada Bhutter left, as well as the fact of the minor having been adopted by Tiruvengada Bhutter's widow, Renganayaki Ammal, in terms of the will, the more important particulars relating to which are as follows.

10. In 1859 the testator Tiruvengada Bhutter was residing at Srirangam; his nephew the plaintiff was absent in the Rajahmandary district. The plaintiff at that time had only son by name Alagasingha Bhutter aged two years.

The testator desired to have this only son given to him in adoption, but in case of the natural father the plaintiff being unwilling to part with his only son, provision was made in the will for the widow to adopt a suitable boy from the same "gnati."

11. The plaintiff returned to Srirangam shortly after he heard of his uncle Teruvengada Bhutter's death in 1859, and as he was unwilling to part with his only son, Teruvengada's widow agreed to defer the selection of another boy until it was seen whether there was a reasonable prospect of the plaintiff's wife bearing another son in which case the plaintiff had expressed his willingness to give him (2nd son) in adoption. His wife did bear him a second son in 1861. The minor plaintiff is the boy in question· it is not disputed by the contending defendants that a formal ceremony of the minor plaintiff's adoption was gone through, and the plaintiff has deposed on oath to the fact of his having given the said son in adoption to Teruvengada Bhutter's widow.

12. The evidence bearing on the abovementioned subject, is that contained in the plaint Exhibits B, C, and D, and in the oral testimony of the plaintiff which is wholly unrebutted.

13. The objection taken by the contending defendants to the validity of the adoption in question, was based on the undisputed fact of the plaintiff having conducted proceedings before various tribunals on behalf of a minor adopted son of Teruvengada Bhutter at a time precedent to the birth of minor plaintiff.

14. But there is no question as to the fact of the said proceedings having been taken by the plaintiff in his capacity of trustee for the boy whoever he might be who was to be eventually adopted on behalf of Tiruvengada Bhutter and at a time when the birth of the minor plaintiff was being anxiously looked for, and before any adoption whatever had been made. In the proceedings themselves the child's name is omitted as appears from the 2nd and 3rd defendants' Exhibits Nos. 1 2 and 3.

15. Under these circumstances I have no hesitation in findig on the 2nd issue, that the adoption of the minor plaintiff on behalf of Thiruvengada Bhutter was true in fact and vaild at law.

16. I come now to a consideration of the 3rd issue, and in doing so it is necessary to refer to what took place in the year 1841, in which year, the Honorable the Court of Directors.

122

issued instructions for the withdrawal of Government from all interference with Devastanam management, which they directed to be invested in trustees practising the same faith, who were declared amenable to the Courts of Justice for any breach of the duties and trusts assumed by them. Accordingly in November 1842 Mr. A. P. Onslow, the then Collector of Trichinopoly, under instruction from Government conveyed through the Board of Revenue in their Proceedings, dated 6th October 1842, Exhibit O. proceeded to hand over the management of the plaint and other pagodas in the Trichinopoly district to the dhurmakartas or trustees who had been selected by Mr. Onslow and approved by the Board of Revenue "thus completing the withdrawal of the servants of Government in the Trichinopoly District from all Devastanam management."

17. Now the trustees so selected were admittedly the ancestors of the minor plaintiff's adoptive father and of the 8th, 9th, 10th, and 11th defendants, who up to that time had been designated "stalattars" and who with their successors were appointed ex-officio dhurmakartas or trustees, in conjunction with two other persons by name Kristna Row and Chendrasekaram Pillai who were appointed trustees by the Collector with the approval of the Board of Revenue.

18. The order of the Collector on the subject is the Hookumnamah Exhibit H bearing date the 12th November 1842, and by it the management of the plaint and other pagodas was regulated as follows

19. The five stalattars already referred to (viz. the ancestors of the plaintiff's adoptive father and of the 8th, 9th, 10th, and 11th defendants) and their heirs were constituted the dhurmakarthas or trustees of the plaint and other pagodas, but each year one of the said Stalattars only was to be associated by rotation, with the other two dhurmakartas (Kristna Row and Chendrasagaram Pillai) in the management of the pagodas, and the stallattar who was in by rotation was to perform his duties in consultation with the other four Stallattars.

20. The hukumnamah further provided among other things that if any one of those who had been appointed dharmakarthas should die or resign his post, the other dharmakarthas should appoint his successor.

21. Although under exceptional circumstances the strict letter of instructions conveyed in the hukumnamah was departed from by Mr. Onslow from 1845 to 1849, as appears from Exhibits Nos. 21, 22, 23, 24, and 25, still the Government and Board of Revenue disapproved of the measure and of Mr. Onslow's interference with the then existing management of the plaint and other pagodas, as appears from the order of Government on the subject, dated the 8th February 1850, Exhibit No. 26.

22. The right of the dharmakarthas or trustees of the plaint pagodas to elect successors on the occasion of a vacancy occurring among the trustees, was finally adjudicated upon by the Honorable the Judges of the late Sadar Court in Regular Appeal No 13 of 1860 and the question arose in the following manner.

23. The plaintiff in that suit resigned the office of dharmakartha of the Strirungam (plaint) pagoda. Subsequently his successor the 1st defendant in that suit agreed to resign in his favor, but the Collector who was the 2nd defendant in the suit refused to ratify the appointment, and the plaintiff then brought a suit to enforce his right to the office under the afforesaid nomination of the 1st defendant.

24. The 2nd defendant in that suit contended among other things that the nomination to the trust of the Strirangam pagodas was vested in the Collector and the Board of Revenue and not in the trustees themselves, so that the question at issue in this suit was raised

in that under advertence, and the judgment in that case which stands final was in the following terms, Exhibit I.

25. "The appointment to the office of dharmakartha and the mode in which vacancies are to be filled, are regulated in the plaintiff's Exhibit E. This is a hukumnamah (Exhibit H. in this suit) dated in 1842 and issued by the Collector when the Government relinquished the charge of the pagoda in common with other establishments of the like kind. It therein appears that 5 persons were nominated to the office, which each was to hold in rotation for a year, and on a vacancy occurring, the remaining dharmakarthas were combinedly to elect a successor" * * * "The plaintiff not having been appointed to the office in the prescribed manner, the Court can recognize no right in him to take it up."

26. It thus appears that the plaintiff and the 8th, 9th, 10th, and 11th defendants have as hereditary Stallattars and ex-officio trustees of the plaint pagodas, the right combinedly to elect a successor in the event of a vacancy occurring among them without any interference on the part of the Committee members.

27. The 6th defendant who was temporarily appointed by some of the Committee members to act in plaintiff's place vacated the appointment on the plaintiff resuming his post of dharmakartha by rotation in 1871 with the tacit assent of the Committee members (defendants 2 to 5 and 13), and there is consequently no occasion to comment on his particular case. So that I now come to a consideration of that portion of the plaintiff's prayer which seeks to obtain the dismissal of the 7th defendant from office.

28. And here I may remark that there is nothing on record to show why or under what particular circumstances, if any, the Committee members took upon themselves the responsibility of setting aside the provisions of the hukumnama by appointing an eighth durmakartha to the plaint pagodas, or why having made up their minds to do so, they departed from the rules of practice therein laid down and which have been explained in para 25 of this judgment, because it appears from Exhibit No. 45 that the opinion of Stallattars was never asked on the subject, although in a corresponding case in 1863 the Collector had taken the sense of the Stallattars before appointing the 12th defendant, D. Periasawmy Mudaliar to be dhurmakartha and although in the case of the appointment by the said Committee of Etharajulu Chetty to be dhurmakartha of the plaint pagodas in 1867 they had ascertained the wishes of the Stallattars and acted accordingly.

29. Exhibit No. 45 is the Committee's order dated November 1868 nominating the 7th defendant to be a durmakartha of the plaint pagodas in the room of the late Virasawmi Iyer who had been appointed in 1845. But Virasawmi's place had already been supplied by the appointment of Etharajulu Chetty made by the Committee members in March 1867 as appears from their correspondence book Exhibit SS which was produced from the Committee member's records.

30. As, therefore the appointment of the 7th defendant to be an additional durmakurtha of the plaint pagodas was made in direct opposition to the provision of the hukumnamah Exhibit H and of the rules prescrided therein for the election of a durmakurtha and which rules have been upheld by the highest judicial tribunal in the Presidency, in the judgment passed in Regular Appeal No. 13 of 1860, I cannot recognize the appointment, which I hold to be null and void and I therefore direct the removal of the 7th defendant from the office of dhurmakartha of the plaint pagodas.

31. The preposterous claim set up by the plaintiff to be declared an hereditary or authinam *proprietor* of the plaint pagodas is disallowed as he has entirely failed to show that he is such, and it only remains for me now to record a finding on the Issue as to whether the plaint pagodas come under Section 3 or Section 4 of Act XX of 1863.

123

32. A consideration of the documentary evidence filed in the suit leaves me no room for doubting that the plaint pagodas come under Section 3 Act XX of 1863 but subject to the conditions laid down in the hukumnamah Exhibit H and the decree of the late Sudr Court in Regular Appeal No. 13 of 1860.

33. My judgment therefore is that the minor plaintiff whose legal adoption has been proved and who was dismissed from his office of dhurmakartha by the 1st, 2nd, 3rd and 5th defendants on wholly insufficient grounds is entitled to hold once in five years the office of dhurmakartha or trustee of the plaint pagodas as hereditary Stallattars, that the plaint pagodas come under Section 3 of Act XX 1863 and that the committee members have a right to exercise over them the powers conveyed by section 7 of the Act but subject to the conditions laid down in the hukumnamah H and the Judgment of the late Sadr Court in Regular Appeal No. 13 of 1860, and that the 7th defendant be removed from his present appointment of dhurmakartha and I further direct that each party do bear his own costs in the suit.

TRICHINOPOLY Civil Court, 26th October 1872. (Signed) R. DAVIDSON, *Civil Judge.*

Memorandum of Regular Appeal

Before the Civil Court of Trichinopoly, Original Suit No. 54 of 1870.

Before the High Court of Judicature at Madras Regular Appeal No. 9 of 1873.

	In the Civil Court.	*In the High Court.*
Srinivassa Tata Chariar and Rengasami Iyengar	*3rd and 7th Defendants,*	*Appellants.*
versus		
Sri Parasara Bhuttur *alias* Sri Sudarsana Bhutter, guardian of the minor Ragunatha Bhutter, adopted son of Stallattar, Sri Parasara Bhutter *alias* Teruvengada Bhutter, residing at Srirangam of the Trichinopoly Taluk.	*Plaintiff*	*Respondent.*

The 3rd and 7th defendants abovenamed beg to prefer this regular appeal to this Honorable Court against the decree of the Civil Court of Trichinopoly, bearing date the 26th day of October 1872, for the reasons following, that is to say:—

1. The decision is contrary to the weight of documentary evidence.

2. The adoption of plaintiff has not been proved nor is it valid.

3. The plaintiff having at the first hearing of the suit expressed his willingness to amend the plaint by expunging so much thereof as related to the removal of the 6th and 7th defendants, no issue has been raised with reference to the 7th Defendant and the Civil Court was wrong in decreeing the removal of the 7th defendant under those circumstances.

4. The Court holding that the present case falls under Section 3 of Act XX of 1873, erred in ordering the removal of the 7th defendant.

5. The Civil Judge is in error in supposing that the 7th defendant was a supernumerary dharmakartha, whereas it is clear upon the record that he was appointed in succession to Viraswamy Iyer deceased and the other dharmakarthas have for these four years acted with him.

6. The Exhibit H, that is the hukamnamah relied on by the Civil Judge has never been acted upon, and it cannot prevail after Act XX of 1863.

7. The Civil Judge is in error in the construction of Exhibit 26 in that the Government did not thereby disapprove of Collector's departure from the arrangement contained in Exhibit H but upheld quite the opposite view.

8. It is abundantly clear from Exhibits 2, 11, 12 and 21 to 26 that the right to elect a successor to a dharmakartha other than the ex-officio ones was not admitted to vest in the Stallattars but in the Government guided by the wishes of the general public.

9. The decree of Sadr Court in No. 13 of 1860 has no application to the present case, and it cannot avail against Act XX of 1863.

10. There has been no sanction taken to bring this suit; at all events there has been no sanction such as would affect the 7th defendant as none was obtained by plaintiff since his appointment.

Dated this 13th day of January 1873.

VENCATAPATHI ROW & ANANDACHARLU,
Vakils.

Memorandum of Objections in Regular Appeal No. 9 of 1873.

In the High Court.

Sreenivasa Thathacharry, and another (3rd and 7th defendants) } *Apellants.*

versus

Sree Parasara Buttur, guardian of minor Raghunatha Buttur. } *Respondent.*

Sri Parasara Buttur the abovenamed respondent begs to present this memorandum of Objections in the Regular Appeal No. 9 of 1873 for the following among other reasons :—

1st. The Lower Court was wrong in declaring upon the evidence adduced in the suit that the pagoda in question falls under the category of religious institutions referred to in Section 3, Act XX of 1863.

2nd. The documentary and oral evidence clearly establishes that the plaint pagodas come under Section 4.

10th March 1873.

T. RAMA ROW,
Vakil.

In the High Court of Judicature at Madras,
Monday the twelvth day of May
One thousand Eight hundred and Seventy three.

PRESENT.

The Honorable W. M. HOLLOWAY,
Acting Chief Justice.

The Honorable Mr. JUSTICE KINDERSLEY,

124

Regular Appeal No. 9 *of* 1873.	Srinivasa Thatha Charry and another.	Appellants—3rd and 7th Defendants.
	Sri Parasara Bhutter *alias* Sri Sudarsana Bhutter, guardian of the minor Reguada Bhuttur.	Respondent—Plaintiff.
Regular Appeal No. 26 of 1873.	SriVathoola Desiker Renga Charriar.	Appellant—9th Defendant.
	Subbaramien and 5 others.	Respondents—2nd to 5th, 11th a 13th Defendants.

Regular appeals against the decree of the Civil Court of Trichinopoly in Original Suit No. 54 of 1870.

Grounds of appeal in No. 9.

1. The decision is contrary to the weight of documentary evidence.

2. The adoption of plaintiff has not been proved nor is it valid.

3. The plaintiff having at the first hearing of the Suit expressed his willingness to amend the plaint by expunging so much thereof as related to the removal of the 6th and 7th Defendants, no issue has been raised with reference to the 7th Defendant and the Civil Court was wrong in decreeing the removal of the 7th Defendant under those circumstances.

4. The Court holding that the present case falls under Section 3 of Act XX of 1863, erred in ordering the removal of the 7th Defendant.

5. The Civil Judge is in error in supposing that the 7th Defendant was a supernumerary Dharmakartha whereas it is clear upon the record that he was appointed in succession to Virasami Iyer, deceased, & the other Durmakarthas have for these four years acted with him

6. The Exhibit H, that is, the hukumnamah relied on by the Civil Judge has never been acted upon, and it cannot prevail after Act XX of 1863.

7. The Civil Judge is in error in the construction of Exhibit 26 in that the Government did not thereby disapprove of Collector's departure from the arrangement contained in Exhibit H but upheld quite the opposite view.

8. It is abundantly clear from exhibit, 3, 11, 12, and 21 to 26 that the right to elect a successor to Dhurmakartha other than the ex-officio ones was not admitted to vest in the Stallattors but in the Government guided by the wishes of the general public.

9. The decree of Sudr Court in No. 13 of 1860 has no application to the present case, and it cannot avail against Act XX of 1863.

10. There has been no sanction taken to bring this Suit; at all events there has been no sanction such as to affect the 7th Defendant as none was obtained by Plaintiff since his appointment.

ADDITIONAL GROUNDS.

1. Because the minor has never been removed by the committee.

2. Because the Plaintiff was appointed after suit and he accepted such appointment and so there is no cause of action.

GROUNDS OF APPEAL IN NO. 26.

1. The 11th Defendant was not a Dhurmakartha.

2. The Civil Judge was wrong in deciding the pagodas to be within the terms of Section 3, Act XX of 1863.

Decree :—These Regular Appeals coming on for hearing, Upon perusing the grounds of these Regular Appeals, the memo of objections in No. 9, the Judgment and decree of the Lower Court and the material papers in the Suit, and upon hearing the arguments of Mr. O'Sullivan, Counsel and Ananda Charlu, Vakil for the Appellants and of Mr. Gould, Counsel and Rama Row, Vakil for the Respondent in No. 9 and of Mr. Johnstone, Counsel for the Appellant, and of Mr. Miller, Counsel for the 1st & 2nd Respondents and Rama Row, Vakil for the 5th Respondent in No. 26, the other Respondents in No. 26 not appearing in person or by Counsel; this Court doth order and decree that the decree of the Lower Court be, and the same hereby is, modified so far as it decrees the removal of 7th Defendant from his present appointment of Dhurmakartha and in other respects confirmed but without prejudice to any claims which the 9th Defendant may have against the Plaintiff or 11th Defendant, and this Court doth further order and decree that there be no costs of these Regular Appeals.

(Signed) W. M. HOLLOWAY,
Acting Chief Justice.

(Signed) J. R. KINDERSLEY,
Judge.

(True Copy)
W. MORGAN,
Deputy Registrar, Appellate Side.

In the High Court of Judicature at Madras Monday the twelvth day of May One thousand Eight hundred and Seventy three.

PRESENT.

The Honorable W. M. HOLLOWAY,
Acting Chief Justice.

The Honorable Mr. JUSTICE KINDERSLEY,

Regular Appeal No. 9 of 1873.	Srinivassa Thatha Charry and another,	Appellants—3rd and 7th Defts.
	Sri Parasara Butter, alias Sri Sudarsna Bhutter, guardian of the minor Regunatha Bhutter.	Respondent—Plaintiff.
Regular Appeal No. 26 of 1873.	Sri Vathoola Desikar Ranga Charriar.	Appellant—9th Deft.
	Subbaramien & 5 others.	Respondents—2nd to 5th 11th, 13th Defendants.

Regular Appeals against the decree of the Civil Court of Trichinopoly in original suit No. 54 of 1870.

These Regular Appeals coming on for hearing the Court delivered the following.

Judgment :—Setting out from the principle that all pagodas which at the passing of the Act were under the superintendence of Government became subject to the committee, we can entertain no doubt of the power of the committee to nominate. It is unnecessary in this case to say as the question is not raised, whether that power is absolute or qualified. As to the persons

to be elected from the community it is probably the one as to the Stallattars it is probably the other. The only point therefore upon which the plaintiff insisted in this appeal must be decided against him, Mr. O' Sullivan abandoned at the hearing all questions save the removal of the 7th Defendant. We see no reason for taking more care of the supposed rights of Ethirajulu Chetty flowing from his previous nomination than he has taken of his own. The course of conduct shows that he has never filled the appointment and as the case stands we are bound to conclude that he has renounced any rights which his previous nomination may have conferred upon him. The decree must be modified so far as it directs the removal of 7th defendant.

As between the Plaintiff and the 11th Defendant the question of that Defendant's right is also set at rest by the abandonment of the point at the hearing and the title of that 11th Defendant has not been investigated. It may however be that the 9th Defendant will be able to show that the 11th has been wrongly declared a Dharmakartha and that the enjoyment of the 9th defendant ought to be more beneficial by one turn than the Court has declared.

We reserve his right to do so if he should be so advised as to try the question. There will be no costs.

(A true copy)

(Signed) W. WIGRAM,
Registrar,
Appellate side.

(True copy)

T. M. ADENARAYANA CHETTY,
Head Writer.

KRISTNA IYENGAR,
Sheristadar.

In the High Court of Judicature at Madras.

Tuesday, the sixteenth day of October, One thousand eight hundred and seventy seven

PRESENT.

THE HONORABLE MR. JUSTICE KINDERSLEY.
THE „ „ „ BUSTEED.

Regular Appeal No. 56 of 1877.

Appellants. (Plaintiffs.)	Respondents. (Defendants.)
Sri Oothamanambi Rengasami Aiyengar and another.	Sri Vathala Desika Annangar, Sri Rungachariyar and 4 others.

Regular Appeal against the Decree of the District Court of Trichinopoly in Original Suit No. 10 of 1876.

This Regular Appeal coming on for hearing, on Monday, the 8th day of October, 1877, and having stood over for consideration till this day the Court delivered the following

JUDGMENT :—This is a suit by plaintiffs as stalattars of the pagoda of Srirungum for cancelment of the appointment by defendants 2, 3, 4 and 5 of 1st defendant as Darmakarta of said pagoda.

The 1st defendant claims a hereditary right to the appointment in question under the Hukumnama of 12th November 1842, being exhibit No. I in the suit.

The plaintiff on the one hand and the defendants on the other all treat this Hukumnama as the foundation of the right in question. If 1st defendant cannot show that he has a right to the appointment of darmakarta of the Pagoda under this instrument, his appointment by the other defendants is invalid. The Hukumnama names five persons and appoints them and their heirs darmakartas of the pagoda and directs that they should each one exercise the office of darmakarta in annual rotation.

By exhibit C, an extract from the diary of miscellaneous sunnads, addressed by the Collector to the Head Peishkar of the pagoda and dated 21st November 1842, one of the five, for the reasons therein set forth is excluded from the body of darmakartas.

The one thus excluded is the father of the 1st defendant.

In 1845 1st defendant's father sought to be allowed to exercise the office of darmakarta but was refused.

He died in 1850, never having exercised the office; 1st defendant came of age in 1859.

We see no reason to doubt the genuineness of Exhibit C; and 1st defendant has entirely failed to show that his father's exclusion by it was at any time subsequently set aside.

The learned Counsel, who argued 1st defendant's case in this Court, endeavoured to show that 2nd, 3rd, 4th and 5th defendants might have appointed 1st defendant a darmakarta of the pagoda, even though he had not a hereditary qualification for the office. This is not the case which 1st defendant made for himself in his written statement and this is not the view of the question which any of the parties to the suit have put forward in the Court below.

The committee of the pagoda are bound to act within the trusts of the foundation; and the Hukumnama of 1842 must be regarded not as an arbitrary act of the Government of the day but as a declaration of the trusts of the foundation, so far as regards the office of darmakarta; and the committee therefore, would have no power to do any act which would be in contravention of such trusts.

We are also of opinion that, even if the genuineness of Exhibit C. could be successfully impugned, 1st defendant's right should have been held to be extinguished by the law of limitation, more than 12 years having elapsed since the date, at which the office in question was taken possession of adversely to plaintiff, namely in the year 1845-46 when plaintiff's father's turn by rotation under the Hukumnama came round and he was refused the right to exercise the office.

We shall, therefore, reverse the decree of the Court below and declare 1st defendant's appointment illegal and direct that it be set aside as prayed.

Plaintiffs to have their costs throughout.

(A true copy)

(Signed) T. WEIR,
Acting Registrar,
Appellate side.

(True copy)

W. MORGAN,
Deputy Registrar,
Appellate side.

120

DECREE.

In the Court of the District Judge at Trichinopoly.

Original Suit No. 7 of 1882.

PLAINTIFFS—*Hereditary rotation trustees.*

1. Sri Uthamanambi Rengasami Aiyengar.
2. Sri Veda Viasa Alagasinga Bhutter.
3. Sri Vadula Desika Rengacharriar.
4. Sri Renga Raja Bhutter minor by his mother and guardian Renganayaki Ammal.

DEFENDANTS—1 to 5 *Members of the Trichinopoly Temple Committee.*

1. Srinivasa Thathachariar residing in South Chittrai street Srirangam.
2. Thotta Venkatachelasami Chettiar residing in Big Bazaar street Fort Trichinopoly.
3. Dhurmadoss Sakaramdoss residing in Gujili street Fort Trichinopoly.
4. Sami Aier *alias* Subbarayer of Manathattai residing in the East Chittrai street Srirangam.
5. T. Pattabhiram Pillai residing in Tennur in the Trichinopoly Taluq.
6. Retnasami Mudaliar residing in Andar street Fort Trichinopoly Dharmakharta.
7. Venkatesa Tawker residing inothe Gujili street Fort Trichinopoly, merchant.

Suit for removal of the 7th defendant from the office of Dharmakarta of the Srirangam Pagoda and to have plaintiff's right to nominate Dharmakarta thereto established.

This cause coming on 23rd day of January 1883 for final disposal before F. Brandt Esquire Acting District Judge in the presence of S. Krishnamachariar B. A. Vakil on the part of the Plaintiffs and K Singam Aiyengar Vakil on the part of the 1st, 4th and 5th defendants, S. Raghava Iengar Vakil on the part of the 7th defendant and 2nd and 3rd defendants being exparte and the 6th defendant being exonerated from liability the Court doth order and decree that this suit be and the same is hereby dismissed: the Court doth further order and decree that plaintiffs do pay the costs of the 1st, 4th, 5th, 6th and 7th defendants.

COSTS OF SUIT.

To be borne by Plaintiffs	Rs.	A.	P.
Stamp for plaint	10	0	0
do for power	0	8	0
do for Exhibit	1	0	0
Pleader's fees	50	0	0
Subsistence for witnesses for attendance ...	24	10	0
Service of process	27	8	0
Stamp for memo	1	1	0
Total Rs.	114	11	0

To be paid by Plaintiffs to 1st, 4th, and 5th defendants.	Rs.	A.	P.
Stamp for power	0	8	0
do for petition	0	8	0
Pleader's fees	50	0	0
Subsistence for witnesses for attendance ...	25	5	0
Service of Process	18	8	0
Stamp for Exhibits	16	8	0
Total Rs.	111	5	0

To be paid by Plaintiffs to 6th Defendant.

	Rs.	A.	P.
Stamp for power	0	8	0
Pleader's fees	10	0	0
Total Rs ..	10	8	0

To be paid by Plaintiffs to 7th Defendant.

	Rs.	A.	P.
Stamp for power	0	8	0
Pleader's fees	50	0	0
Subsistence for witnesses for attendance ...	7	6	0
Process fee	5	0	0
Total Rs ..	62	14	0

The parties should apply as soon as possible for the return of all exhibits which they may wish to preserve as the record will be liable to be destroyed after three years from this date.

Given under my hand and the seal of the Court this 31st day of January 1883.

(Signed) F. BRANDT,

Acting District Judge.

In the Court of the District Judge at Trichinopoly.

Present:— F. BRANDT Esquire, Acting District Judge.

ORIGINAL SUIT No. 7 OF 1882.

Plaintiffs.	*Defendants.*
Sri Uthamanambi Rengasami Ayyengar and 3 others.	Srinivassa Thathachariar and 6 others.

This cause coming on the 23rd January 1883, for final disposal, the Court delivered the following Judgment :—This suit is brought by four persons who style themselves "Stallattars and Managers of the Pagodas of Srirangam"; as they are called indiscriminately in papers filed in the suit "Trustees" "Dharmakartas" "Managers" "rotation Managers" "Ex-officio Trustees" "Hereditary Trustees" and so on and as all Stallattars are not "Trustees" nor all Trustees "Stallattars" while some are hereditary trustees and some not I propose to designate them always as the hereditary rotation Stallattar Trustees or for brevity hereditary rotation Trustees only.

2. It is admitted that associate with the Plaintiffs in the management of the affairs of the Temple there must be two other trustees not necessarily hereditary, not (that is not necessarily at all events) Stallattars and not doing work in rotation but permanently; these may be called the permanent trustees.

3. It is also admitted that with the two permanent trustees one only of the hereditary rotation-Stallattar-trustee must be associated in annual rotation the latter however acting "in consultation" with the other rotation trustees. Formerly there were five rotation trustees but the number, has been, for reasons which need not be stated here, reduced to four.

4. The first five Defendants constitute the Trichinopoly Temple Committee. The 6th Defendant Retnasami Mudaliar and the 7th Defendant Venkatasa Takker are or claim to be the two duly appointed permanent trustees.

127

5. The Plaintiff's setting forth what purports to be a statement of their claims allege that in contravention of the declaration in the Hukkumnama "* * *" and without any shadow of right "the first five Defendants" about December last "(1881" appointed the 7th defendant Venkatesa Takkar in the room of a Dharmakurta deceased, "and they pray that the said 7th defendant so appointed without the consent of the plaintiffs" may be removed, "that the hereditary mirasi rights and privileges of the plaintiffs, infringed and encroached upon by the defendants, may be established" and so on.

The 2nd & 3rd defendants allowed the suit to go exparte. The other defendants appeared by Vakils.

6. It being evident that no relief was asked as against, and that no cause of action appeared as regarded the 6th defendant, Retnasami Mudeliar, the latter was, on the 15th September 1882 excluded from all further liability, and plaintiffs were adjudged to pay his costs up to that date.

7. There has been delay in this case but the plaintiffs alone are responsible for that; it was adjourned from October 1882 to January 1883 at plaintiffs' request and even now further adjournment was asked for on the ground that counsel engaged could not appear. I refused further adjournment.

8. The 1st, 4th and 5th defendants put in a very long written statement in which they traverse nearly every one of the plaintiffs' allegations; it is enough for the purposes of this suit to notice the points taken in respect of which issues were framed.

9. Objection was taken as to the stamp duty paid, to a mere declaration being asked for, and to the jurisdiction of this Court. The latter objection was overruled and also waived. I am of opinion that the plaintiffs are entitled to adjudication on the point raised, which I take to be that set forth in the fifth issue, and that a declaration only is sufficient as to that, and that it is impossible to value the relief sought.

10. The following issues then were framed by me.

I. Whether the right to nominate or appoint the permanent non-hereditary trustees for the Srirangam Temple is a right which has been finally adjudicated on in R. A. 26 of 1873 on the file of the High Court Madras and whether by reason of such adjudication in that suit plaintiffs are estopped from questioning the right of the temple Committee to appoint such trustees?

II. Whether on the other hand it has been finally determined in R. A. 56 of 1877 on the file of the said Court that the nomination or appointment of such trustees vests in the plaintiffs as hereditary trustees?

III. Whether even if plaintiffs did possess such right but have failed to exercise the same within 12 years prior to institution of this suit, they are, by reason of such failure or default, incapable of exercising such right?

IV. Whether plaintiffs or the rotation trustees for the time being ever did exercise such right, and if so when?

V. Whether the appointment of the 7th defendant by the Temple Committee is invalid and should be set aside by this Court, by reason of its having been made without nomination of the said 7th defendant by the rotation trustees for the time being?

VI. Whether by reason of ratification or approval, on the part of the 3rd plaintiff and of a cousin of 2nd plaintiff, of the appointment now challenged by plaintiffs, Plaintiffs are estopped from now questioning the said appointment?

11. The plaintiffs filed 14 documents A to O. Exhibit A is the "Hukkumnama" issued by the Collector and dated 12th November 1812. B & C are decisions of this Court and the

High Court in two cases of 1870 and in 1877, and O decision of this Court and the Sudder Court in 1860. D E F G endorsements and orders of the Collector between the years 1844 and 1849 and (G) a report from certain "Stallattars". Exhibit L is copy of an order of Government. H consists of a covering letter and enclosure, the latter being transcript of proceedings of the Temple Committee in June 1881 relating to the appointment of the 6th defendant in this case, Retnasami Mudaliar.

J is a letter addressed by "Stallattars" to the Committee sometime in 1867, with endorsement thereon.

K is an office book containing office copy of order setting forth the appointment of one Ethirajulu Chetty by the Temple Committee.

M is a Yadast of the Stallattars dated 24th December 1881 protesting against the appointment of the 7th defendant, and N is the reply thereto.

12. The defendants' Exhibits consist principally of orders issued by the Collector and correspondence between the Board of Revenue and the Collector, and the Board and Government between 1842 and 1850. Exhibits I to XIV. Of the other Exhibits XIX relates to the appointment of Rengaswami Ayyengar in 1868, XX to the appointment of Ethurajulu Chetti in 1867, Exhibits XV and XVI to the appointment of Retna Mudaliar in 1881-1882 and XVII and XVIII to the appointment of the 7th defendant Venkatesa Tawkker.

13. For the plaintiffs six witnesses were examined; of these the first is M. R. R. Pattabhiram Pillai Avergal, Deputy Collector one of the Temple Committee, and the 5th defendant. The 2nd witness is one Samayyengar who was it seems appointed a permanent trustee, (by the Comimttee, at the reqnest of the "Stallattars" as he says) on Kodialam Rengasami Ayyengar's being deprived of the office under the Decree in O. S. 54 of 1870 this Court's file; his appointment ceased (as he admits) as soon as the said Rengasami Ayyengar succeeded in appeal to the High Court. The 3rd witness is the late Sheristadar of this Court, L. Kristniengar Avergal who was at one time a Member of the Temple Committee. The 4th witness is the 3rd defendant Dharma Dass, who is a Member of the Temple Committee.

The 5th witness Doraisami Ayyengar is a Sthanikam in the Srirangam Pagôda,

The 6th witness Tota. Venkatachelasami Chetti is the 2nd defendant a member of the Temple Committee.

For the defendants five witnesses were examined of whom the second is Ethirajulu Chetti, once appointed permanent Trustee, and the 3rd is a Member of the Temple Committee, the 1st defendant in this case. The others are simply called to prove or speak to documents filed in the case.

14. The first issue is, whether the right to nominate or appoint the permanent non-hereditary trustees is a right, which has been finally adjudicated on in R. A. 26 of 1873 on the file of the High Court Madras? The record of the whole suit is filed as Exhibit B. The plaintiff in the suit from which the appeal lay sued to have it declared (1) that he, as descendant of one of the hereditary rotation trustees, was entitled to a turn of management, (2) that the Srirangam Temple was not subject to the Temple Committee, (3) that the appointments of two permanent trustees by the said Committee were invalid. With the first of the three questions we are not concerned; as to the 2nd the power of the Committee in this respect is not questioned in this suit.

As to the third question it is the same as that which is raised in this suit. The District Judge Mr. Davidson held the appointment by the Temple Committee of the 7th Defendant Kodialam Rengasami Ayyengar to be bad, on several grounds which I need not now specify; but the High Court in appeal dealing with the only question which having regard to the arguments in appeal it was necessary to deal. viz, whether the Temple Committee had the power to nominate, held that the committee had such power. Here then is a decision that the power to

128

nominate the trustees other than the hereditary rotation Trustees and the former are spoken of as "the persons to be elected by the community" rests with the committee: it is true that the further question as to whether such right is absolute or qualified is left open but whether absolute or qualified, the right is established and declared.

The plaintiff and the then 8th, 9th, 10th, & 11th Defendants representing the hereditary rotation Trustees all contested the right of the committee and I am of opinion the decision as between the hereditary rotation trustees on the one side and the committee on the other is not the less complete or final because some of the former were ranged by the then Plaintiff in the ranks of the Defendants.

It is however contended for the Plaintiffs that there is another subsequent decision of the High Court, namely in R. A. 56 of 1877, and with reference to this contention the second issue was framed.

In this suit two of the hereditary rotation trustees sued to have the appointment of one Sri Vathula Desika Annangar by the Temple committee set aside. The said Annangar, the 1st Defendant, claimed in virtue of hereditary right; the Plaintiffs' success and the 1st Defendant's failure was the result of decision to the effect that whatever the hededitary right of 1st Defendant might have been, it had been lost or abandoned.

It is true that there was an attempt in appeal to argue that, leaving out of sight the 1st Defendant's claim in right of inheritance his appointment might be held good as being made by the committee, but the High Court would not hear this argument, as it was not the case originally made.

Looking then to the ground on which the Plaintiff in that suit succeeded and to the fact that in this suit the question is as to the committee's power to appoint not an hereditary but a non-hereditary trustee, I am very clearly of opinion that it was not determined in R. A. 56 of 1877 that the nomination or appointment of the non-hereditary i. e., the permanent trustees vests in the hereditary stallattar rotation trustees.

What in fact the Plaintiffs rely on in the judgment (filed as C) are certain remarks as to "the Plaintiffs on the one hand the Defendants on the other all treat the Hukkumnamah" (filed in the present suit as A) as the foundation of the right in question, "and the committee of the pagoda are bound to act within the Trusts of the foundation and the Hukkumnamah of 1842 must be regarded not as an arbitrary act of the Government of the day but as a declaration of the trusts of the foundation so far as regards the office of Durmakurta and the committee therefore would have no power to do any act which would be in contravention of such trusts". With regard to this I can only say that the observations appear to be general and I cannot take them as in any way deciding that the power to nominate or appoint the non-hereditary or permanent trustees, which power was expressly adjudicated on in 1873, did not vest in the committee. But the plaintiffs would try to make out that in some curious manner, a judgment of the late Sadr Court, and the Hukkamnamah are embodied in the decree of this Court in O. S. 54 of 1870 so that notwithstanding the decree of the High Court in appeal in that suit the decision of the District Judge who seems to have been of opinion that the nomination of the non-hereditary trustees vested in the other trustees under the decision of the late Sadr Court in 1860 (Exhibit C) and under the Hukkamnamah still holds good.

The shortest answer to this is that although the somewhat unusual terms of the decree of this Court in O. S. 54 of 1870 were not specifically varied, the High Court in appeal did most distinctly decide that the right to nominate non-hereditary trustees vests in the committee and not in the heriditay stallattar Trustees. It would further be easy to show that the only question really determined by the Sadr Court was that one trustee could not by assignment of his rights, transfer his appointment to another, and I do not see how a decree merely dismissing the Plaintiffs' claim to the office could be embodied in another decree. It would also be possible to show that the Sadr Court seems (no doubt by reason of having the case

imperfectly put before them) to have been under more than one misconception as to facts. It is impossible that Mr Davidson's decreein 1870 can have the effect of finally determining that the election by the Stallattars in 1849 of Raja Bahadur Rengasami Ayyengar and Sivagurunatha Pillai was, as the Sadr Court say perfectly in order, seeing that in 1850 the Government severely commented on the Collector's conduct in calling on the Stallattars to elect, and in ousting two trustees nominated by the committee to make room for the two men elected by the Stallattars indeed as will be shown elsewhere, the Government caused the elected of the people to be reinstated and the other two to be turned out.

The Sadr Court do not appear to have been aware that there were or ought to have been seven trustees in all, five hereditary and twon on-hereditary.

However this may be, with the Sadr Court's decision before them, the High Court in 1870 held that whatever the terms of the Hukkamnamah, the appointment of the trustees other than the hereditary Stallattar Trustees vested in the Temple committee, which question was then directly in issue and was not necessarily or substantially or indeed at all in issue before the Sadr Court. My finding then on the second issue is decidedly in the negative and I hold though not without some but not much doubt, that (issue I) the right to nominate or appoint the permanent non-hereditary trustees does, as has been decided by the High Court in R.A. 23 of 1873, vest in the temple committee.

15. Assuming however that the question is still open I shall endeavour to show that even if under the terms of the Hukkamnamah A the appointment of the trustees was intended to be vested in the surviving trustees, so much, at all events, of the Hukkamnamah was never ratified or approved by the Government, and that apart from the terms of the Hukkamnamah the Stallattar Trustees have no such right as they claim.

16. I cannot indeed anywhere find any evidence going to show that either the Board of Revenue or Government were aware that any such proviso or condition had been inserted in the Hukkamnamah at all. Both authorities as will appear further on, distinctly disallowed and disapproved of the Collector's proposal that such right should be conceded to the Stallattars and although at one time the Collector appears to have recognized, at another he entirely repudiated the assertion of such right.

17. And in any case supposing the nomination or election is to take place as provided in the Hukkamnamah the appointment even in the case of a vacancy among the hereditary trustees was to be made by the surviving Stallattar trustees, and the surviving non-hereditary trustees: which seems absurd seeing that five of the Trustees were declared to be hereditary.

18. It will however I think be clear that it never has been finally determined how a successor ought to be appointed in the place of a non-hereditary trustee dying resigning or becoming otherwise disqualified; how such appointment is to be made is I think a question which strictly speaking I am not called on to decide; all I have to decide is (Issue V) whether the appointment of the 7th Defendant in this case is invalid and should be set aside, because not made on the nomination of the rotation or hereditary stallattar trustees.

19. I could get no very clear statement of what it is that the Plaintiffs say they have a right to do. At one time it was said the consent of Plaintiffs to the appointment by the committee is necessary, that is one thing. At another that the stallattars have the right to elect or nominate and that the committee must accept the election or nomination, and must appoint the nominee; or that they must make the appointment "after ascertaining the wishes of the Stallattars".

20. It was admitted that the Plaintiffs cannot show a single case in which they have "elected" a permanent trustee (save the case in which having done so, their nominees were turned out again under orders from Government) but it is said neither the Collector nor the committee have ever refused to recognize or appoint the persons nominated or suggested by them

21. But even if this were so it would not prove that they have the right they claim and as I think I shall be able to show, the 7th Defendant in this case cannot at all events be said to have been appointed by the committee against the wishes of the "Stallattars" as a body.

22. I now turn to the historical aspect of the case.

I will first trace the history chronologically from the papers recorded, and then comment on the result. The earliest paper is Exhibit VII Letter from Board of Revenue to the Collector dated 26th August 1841; the transfer of the superintendance of religious institutions had to be effected; a scheme had been proposed by the Collector; from this letter and from the Board's Proceedings (Exhibit X) it appears that the scheme had originally included a committee consisting of a "Jeer" and Archakar, in association with the stallattars, with whom, whether as originally or subsequently proposed, were to be associated two independent and respectable persons not being temple officials. The Board having given reasons why the Jeer and Archakar should not be associated on the committee (Exhibit VIII 23rd May 1842) the only exception which the Board took to the rest of the scheme was as to the proposal that vacancies in the committee should be filled by election on the part of the other members: that, the Board thought, would tend to make the committee become a close corporation and they suggested, in August 1842, that, if practicable, trustees "(i. e. non-hereditary-non ex-officio trustees?) should be selected by the community at large."

Exhibit IX dated 29th July 1842 shows that already a considerable number of persons interested in the Srirangam Temple having come to an amicable arrangement had proposed two persons Kistna Row and Chendrasekaram Pillai as trustees in conjunction with the stallattars. Exhibit X a very important paper, Board's Proceedings 6th October 1842 shows that the Board approved the committee as constituted in the manner last above described, but they say they cannot approve the provisions made for the appointment of successors to the individual trustees now nominated"; what those provisions were is not directly stated. The Board say however that execution of the plan need not be delayed as the mode of succession will probably be regulated by legislative enactments and this proposal (as appears from Exhibit XII) the Government approved. They speak of certain trust deeds submitted by the Collector but decline to confirm these as the Government has declared it objectionable that any trust deeds should be executed.

Then comes the Hukkumnamah (A) dated 12th November 1842, next comes Exhibit I dated 21st November 1842; in this the Collector informs the stallattars that he has removed Sri Vathula Desika Annangar from the office of Rotation manager although appointed under the Hukkumnamah. Plaintiffs' Exhibit D bears date 26th November 1844: it is an endorsement: there is nothing to show what the nature of the request or petition was: it runs thus the Collector has no power to interfere in the appointments of trustees to the Devasthanams which rest entirely with the Darmakarthas of the pagoda. Plaintiffs' Exhibit E is an order from the Collector dated 6th October 1845 directing the Huzur Cash-keeper to pay the "mohini" to one of the rotation managers and to the trustees appointed by the stallattars. Exhibit II is dated 22nd November 1845, in this in answer to objections made by the stallattars as to payment of the "mohini" (money allowance to the temple) to certain persons the Collector says that as the Hukkumnamah has not hitherto been confirmed by the Board he shall pay the money to whom be pleases.

Next comes Exhibit XI dated 8th December 1845. Proceedings of the Board of Revenue which (from Exhibit XII) it appears were issued in answer to request from the Collector for orders; from these it seems disputes had arisen on the death of Chendrasekaram Pillai (who had continued to act as permanent non-hereditary trustee with the rotation stallattar trustees) Krishna Row having died very soon after his appointment (which took place, as above stated in 1842) The Board say they agree with the Collector that, as a rule, the next of kin of such deceased manager (trustee) or a relative should be appointed provided the succession be acquiesced in by the community, but that to declare such right to be absolutely hereditary or to invest the

stallattars with power to fill up vacancies would be productive of great abuses and in case of dispute the Collector is to determine whom the committee seems to prefer and to refer the others to the Courts.

In accordance with these instructions an election was held by the Collector in 1845 (as would appear from Exhibit XII) and (1) M Virasami Ayen (2) Kanjamalai Mudali, an (3) Uthamanambi (one of the stallattars) we elected; before going on with the history however I will make some remarks on the foregoing.

23. Throughout and from the first, the Board of Revenue seem to have wished that the two non-hereditary or non-ex-officio trustees should at all events not be elected by the stallattars: that they should be rather elected by the community, members of the same family being however preferred if otherwise eligible.

I do not know if by "trust deeds" the Board meant to refer to the Hukkumnamah but in any case I cannot conceive how, if the Hukkumnamah ever was submitted to them, their correspondence does not contain a direct reference to it; or how, holding the views they did they could have sanctioned the clause relating to filling up vacancies in the case of non-hereditary ttrustees. Then there is (Exhibit II) the Collector's own statement ten days after he signed he Hukkumnamah that that document had not been confirmed by the Board. Was it ever confirmed? Was it ever submitted to them? If it was, the question as to how such vacancies were to be filled up was, as is distinctly stated in Exhibit X, left to be decided thereafter and how that question was decided, in so far as it was decided at all, appears from Exhibit XI.

Exhibit I appears to me to have no direct bearing on this case except perhaps as showing that the Collector acted somewhat arbitrarily and certainly does not appear always to have respected his own Hukkumnamahs; how the Collector came in Exhibit II to say that as the Hukkumnamah had not been confirmed he should do as he liked, and in D to say that the appointment rested with "the Dharmakartas," or what he meant by the latter order I cannot pretend to say.

Indeed the Collector's conduct after this period also is not easy to understand; why he should have caused one of the hereditary Ex-officio stallattars to be elected by the community in 1845 along with the two others does not appear. But it seems that in 1846-7 he refused to recognize the stallattars as trustees in rotation; in 1849 he consented to recognize them as such.

24. Exhibits III and IV, 18th and 24th December 1845 relate to the election of Virasami Aiyer and Kanjamalai Mudali; the latter's brother Balasubramanyan was put in his place as Kanjamalai was in Government employ. One Ramasami Mudali was "chosen" by the Dharmakartas but the Collector would not have him on the ground that his appointment was objected to by the community.

So here we have the Collector supporting the trustees elected by the community and ignoring the "stallattars".

25. Nothing more appears till 1849: then, for what reason does not appear, the Collector issues on order F. dated 6th April 1849 to the Tahsildar of Lalgudi directing the stallattars to appoint "two proper trustees according to the Hukkumnamah": in G. the stallattars report that they appointed Raja Bahadur Rengasami Aiyengar and Sivagurunatha Pillai (a member of the family of Chendrasekaram Pillai, one of the original non-hereditary trustees.)

Then great dissatisfaction appears to have arisen:—there was a reference to the Board who in their proceedings (Exhibit XII dated 12th July 1849) give a summary of the whole matter, but end up by asking if the changes made by the Collector met the wishes of the community."

Another Collector comes on the scene now; he (in Exhibit XIII) dated 10th January 1850 reports that the community does not like the new nominees, and asks that the question as to in whom the right to appoint trustees vests may be settled. In Exhibit XIV the Board re-

commend to Government the reinstatement of the former trustees, and in Exhibit L (8th February 1850) the Government directs them to be reinstated, not without severe comment on the Collector's proceedings but no orders are passed, and nothing is done, with reference to the Board's request that the open question as to the right to elect may be settled by legislation.

26. The only conclusion I can come to on this part of the case is, that even in 1850 the Board and Government either were not aware that the Collector purported to have authorized the stallattars to elect in virtue of the provisions of the Hukkumnamah, or that the Board and the Government altogether ignored any such right notwithstanding what the Hukkumnamah contained.

27. Balasubramaniya Mudali and Virasami Ayyen having been reinstated in 1850, as above described, continued in office: the former till 1856, when he died, and was succeeded by his brother Kanjamalai who had then ceased to be in Government employ, when Kanjamalai died he was in 1860 succeeded by his son Periasami, and on the death of the latter, his brother Ketnasami was in 1881 appointed by the Temple Committee. Virasami Ayyen lived till 1867, on his death two were appointed in his place viz., Ethirajulu Chetti and Kodialam Rengasami Ayyengar; it will be remembered that the question between these two was settled in 1873 (Exhibit B) and Rengasami Ayyengar continued in office till he died in 1881, and then the 7th Defendant was appointed by the Committee.

28. With the exception of evidence given by Plaintiff's 2nd witness Samayyengar there is nothing to show that the rotation trustees had anything to do with or were in any away consulted in respect of filling up the vacancies which occurred in 1856, 1860 and 1867.

The 6th witness for Plaintiffs, Sami Chetti, it is true, speaks generally as the custom of appointing those who were selected by the Stallatars, but I will state my reasons for not giving any credit whatever to the evidence of this witness and of Samayyengar.

The latter is a Tenkalai, so are all the witnesses for Plaintiffs. Plaintiffs are Tenkalais the 6th witness Sami Chetty is the only member of the Temple Committee who will now give evidence in support of the Plaintiffs' claim.

Samayyengar says the permanent trustees were up to 1846, appointed by the rotation trustees; but this is opposed to what appears in the official records above quoted, and witness admits that in 1846 two permanent trustees were elected by the community. As to appointments between 1846 and 1850 he tells us nothing that is not known from the official papers; as to Kanjamalay's appointment in 1856 and Periasami's in 1860 witness does, no doubt, say the appointment was made at the request of the Stallattars but there is only his word for it and I really cannot accept his mere word for it. As to Sami Chetti's evidence it was given in such a manner that that alone was sufficient to make one pay no attention to what he has to say on this subject, he said "we used to appoint those who were selected by the Stallattars," but he had to admit the 7th Defendant whom he joined in appointing was not so selected or nominated and his explanation of this was absurd. He also admitted that Kodialam Rengasami Ayyengar was not appointed at the request of the Stallattars and so forth, but he said there were "verbal representations" made by the Stallattars in some cases. I may say that as far as Plaintiff's case is concerned it would have been none the worse for them, I think, if they had called no witnesses at all.

29. My finding then is that not only is there no proof of an election or nomination of a permanent trustee by the rotation trustees at any time (save in the case in which their nominees were turned out) up to 1867 but that there is not till then a trace of the rotation trustees having been consulted in the matter.

30. Plaintiffs' case in fact comes to this that the right to appoint or nominate is vested in them by Hukkumnamah, that when or if it is found that that is not so, that if it did, their right has been ignored and overridden so long and so persistently that they have lost it, then (they say) an appointment of a permanent trustee by the committee is not good unless their wishes have been attended to or they consulted.

31. It only remains to consider the latter proposition; this rests on the fact that in committee's proceedings in 1867, and since then on one or two occasions the committee say so and so has been appointed according to the stallattar's request, nomination or wish or however the word "Korekei" is to be translated.

32. This modified claim cannot be made to stand on the terms of the Hukumnamah. Out of what then does it arise? The official records would show that if any one was to be consulted it was, not the hereditary rotation trustees but the public.

And even if the recommendation or request of the former was in 1867 and since attended to, that in no way proves that an appointment made without reference thereto would be invalid.

33. On this ground I shall pass as quickly as I can over the evidence on this head Exhibit J. is a yadast from the Stallattars to the committee dated March 1867 asking the latter to appoint a permanent trustee to the then vacancy and suggesting Ethirajulu Chetti; an endorsement on this purports to show that this yadast was not received till 6th June 1867. And Exhibit XX the order appointing Ethirajalu Chetty bears date 30th March 1867. Exhibit K produced at Plaintiffs request is the office copy of the reply to the Stallattars dated 8th June 1867. The Plaintiffs insinuate that the endorsement on J and the reply were wrongly dated, and that in fact the appointment was not made before the recommendation was received. I see no reason whatever to think this was so, first there is evidence (that of Defendant's 4th witness and Plaintiff's 4th and 6th witnesses) that the endorsement on J is written and signed by the members of the committee by whom it purports to have been written and signed, secondly the yadast of the committee appears in their book in its proper place; thirdly the order (XX) of appointment is proved by Defendant's 2nd and 4th witnesses. Lastly there is nothing to show that the committee had then or till 1881, any reason to suppose that the "Stallattars" advanced any claim as of right to nominate or appoint or that the committee intended to do anything except send a civil reply to persons interested in the matter.

34. Then we come to Retnasami's appointment in 1881 in Exhibit H; in their proceedings the committee do say they appoint Retnasami because not only do the committee think him a very proper person, but the stallattars and other permanent trustee also requested or wished it.

Putting aside as of little or no importance the fact that as shown by Exhibits XV & XVI the said other permanent trustee and Retnasami himself had applied, not to the stallattars but to the committee, to appoint Retnasami there is here again no reason whatever to suppose that the committee recognized any right on the part of the Stallattars to recommend or nominate; indeed Plaintiffs' own 1st witness, one of the members of the committee M. R. Ry. Pattabhiram Pillai says distinctly that that was so, but that though they thought it proper to consult the wishes of the stallattars they had in fact determined to appoint before the stallattars' letter was recived and would have made the appointment even if they had not received the latter's communication.

35. It is in Exhibit M when the 7th Defendant's appointment had been made, that the stallattars first expressly speak of a claim as of right to nominate in the case of election of a permanent trustee, in this dated 24th December 1881 they object that the appointment had been made without their concurrence and before they could designate a candidate. N is the committee's reply. It is immaterial.

36. I can find no ground whatever for allowing the Plaintiffs' contention that the appointment of the 7th Defendant is invalid by reason of its having been made without nomination of the 7th Defendant by the rotation trustees. This disposes of the fifth issue and of the whole case on the merits.

(3)

37. I do not think it necessary to go at length into the sixth issue because I think it immaterial whether some of the stallattars approved the appointment or not. But as a matter of fact it is proved that one of the Plaintiffs and a cousin of his did approve it. This is proved by Exhibits XVII & XVIII though the approval was notified after the appointment had been made, as the writer of Exhibit XVII (Defendant's 5th witness) deposes.

38. Nor do I think it necessary to record any finding on issue III as I find that Plaintiffs never did possess the right for which they contend.

39. The result is that Plaintiffs' claim is dismissed and they will pay the costs of the 1st, 4th and 5th Defendants (and also of the 6th Defendant as before ordered) and also of the 7th Defendant; Vakil's fees for the 1st, 4th and 5th Defendants Rs 50, for the 6th Defendant Rs 10, and for the 7th Defendant Rs 50.

40. I must mention that Plaintiffs obtained leave of the Court, under order passed on Misc. petition 153 of 1882 to amend the Plaint by insertion of additional objection to the appointment of the 7th Defendant in that he is a Sivaite while the Srirangam Temple is a Vishnuvaite Temple, but I declined to frame any issue in respect of this objection on the ground that it involves question of a character wholly different from those on which the suit is based and that on reconsideration, I was of opinion that the amendment ought not to have been allowed at all.

TRICHINOPOLY,
DISTRICT COURT,
31*st January* 1883.

(Signed) F. BRANDT,
Ag. District Judge.

In the High Court of Judicature at Madras.

FRIDAY THE EIGHTH DAY OF FEBRUARY.

ONE THOUSAND EIGHT HUNDRED AND EIGHTY FOUR.

PRESENT.

The Honorable Sir Charles A. Turner Knight, C. I. E. *Chief Justice.*

The Honorable Mr. Justice Muthusamy Aier C. I. E.

Appeal No. 89 of 1883.

1. Sri Uthamanambi Rengasami Aiengar
2. Sri Veda Vyasa Alaghasinga Bhutter and
3. Sri Renga Rajah Bhutter minor by his mother and guardian Renganaykia Ammal

Appellants. (Plaintiffs.)

1. Srinivassa Thathcharriar
2. Thotta Venkatachelasami Chettyar
3. Durmadoss Sakaram Doss
4. Sami Aier *alias* Subbarayer
5. T. Pattabiram Pillai and
6. Venkatesa Tawker

Respondents. (Defendants.)

Appeal against the Decree of the District Court of Trichinopoly in Original Suit No. 7 of 1882.

GROUNDS OF APPEAL.

1. The decree of the Court below is contrary to law and is against the weight of evidence.

2. The Lower Court misunderstood the nature and the scope of the Plaintiffs' case.

3. The so called documentary evidence which was the correspondence between the Collector and the Board of Revenue is not admissible in evidence as it was not communicated to Stallattars and as it was not acted upon.

4. The Lower Court is wrong in supposing that the Hukkumnamah is imperative? (inoperative) it has been recognized and its validity is established in Regular Appeal (56 of 1877 which is *res Judicata* in favour of Plaintiffs.

5. The Lower Court erred in supposing that the point at issue was decided in Regular Appeal 26 of 187?: on the other hand that decree should be considered as *res Judicata* in favour of Plaintiffs.

6. There is abundance of documentary and oral evidence to show that the Plaintiffs were exercising the right of nomination and that when it was questioned it was established.

7. The Lower Court ought to have held that the Hukumnama cancelled all the proceedings prior to 1842 and that it was subsequently recognized by Judicial decisions and acted upon.

8. The Lower Court ought to have found that the appointment of the 7th Defendant was invalid and unsustainable.

9. "The Court ought also to have considered the question that a Sivaite should not have been appointed as a Dharmakartha to a Vishnuva Temple".

Decree:—This appeal coming on for hearing. Upon perusing the grounds of appeal, the judgment and decree of the Lower Court and the material papers in this suit; and upon hearing the arguments of Mr G. P. Johnston, Counsel and Mr. R. Sadagopachariar, Vakil for the Appellants and of the Honorable T. Rama Row, Vakil for the 6th and of Mr. V. Bashyam Aiengar, Vakil for the 1st, 4th and 5th Respondents the other Respondents not appearing in person or by Counsel, this Court doth order and decree that the Decree of the Lower Court be, and the same hereby is confirmed and this appeal dismissed; and this Court doth further order and decree that the Appellants do pay to the 1st, 4th, 5th and 6th Respondents Rs 222-6-4 for their costs in opposing this appeal.

(Signed) CHARLES A. TURNER, *Cheif Justice*
(Signed) T. MUTHUSAMY AIER, *Judge*.

Memorandum of costs	Rs.	As.	Ps.
1st, 4th, 5th and 6th Respondents (1st, 4th, 5th and 7th Defendants') costs.			
Stamp for Vakalatnamah	2	0	0
Pleader's fee allowed	100	0	0
One printed copy purchased	75	14	4
Translation charge	44	8	0
To be paid to the 1st, 4th, 5th and 6th Respondents (1st, 4th, 5th and 7th Defendants) by the Appellants (Plaintiffs)	222	6	4

(Signed) J. A. DAVIES, *Ag. Registrar. Appellate side.*

(A true copy)

J. A. DAVIES, *Ag. Registrar Appellate side.*

132

In the High Court of Judicature at Madras.

FRIDAY THE EIGHTH DAY OF FEBRUARY,

ONE THOUSAND EIGHT HUNDRED AND EIGHTY FOUR.

PRESENT

The Honorable Sir Charles A. Turner Knight C. I. E. *Chief Justice*

The Honorable Mr. Justice Muthusami Aier C. I. E.

Appeal No, 89 of 1883.

Sri Uthamanumbi Rengasami Aiengar and 2 others—Appellants (1st, 2nd and 4th Plaintiffs)
Srinivassa Thathachariar and 5 others—Respondents (1st to 5th and 7th Defendants).

Appeal against the Decree of the District Court of Trichinopoly in Original Suit No. 7 of 1882.

Judgment:—We agree with the District Judge that the Stallattars, who succeeded by inheritance, have altogether failed to prove that they have a right either to nominate or appoint the persons who should be associated with them in the management of the Temple as non-hereditary Dharmakhartas. The document on which the Appellants principally insisted in the Court of First Instance has been called the Hukumnamah. It is dated 10th November 1842 and was issued by the Collector. It did not purport to record any usage but to confer a right of election in the surviving and continuing Stallattars. The Collector had no power to confer such a right on them and his act was distinctly disapproved by the Board of Revenue Exhibit X, Exhibit II, Exhibit XI, Exhibit XII, who left the matter to be settled by law. The Collector by whom the document was issued himself repudiated it as binding and caused an election to be held and managers elected by the "community" i. e. the persons interested in the Temple Exhibit III, Exhibit XII.

In 1849 the order Exhibit F was issued by the then Collector and the only appointments made, which are shewn to have been made by the Stallattars. Complaint was made of this procedure as unwarranted Exhibit XIII, and in consequence of the recommendation made by the Board of Revenue in Exhibit XIV the Government set aside the election and reinstated the managers who had been elected Exhibit L.

The Judge has rightly interpreted the rulings of this Court and we find that they support his conclusion.

It is stated in this Court, and it is not contradicted, that the manager to whose appointment objection is taken, is a person who is tolerant of the tenets of Vishnavites and Sivites. Were it otherwise, although were the matter left to the discretion of the Court, we should, probably follow the previous rulings and appoint professed member of the sect to whose cult the temple is devoted, we are not satisfied that we ought to interfere with the selection of the Committee. The Appeal is dismissed with costs.

(A true copy)

(Signed) J. A. DAVIES,
Asst. Registrar,
Appellate side.